



Exeter City Council

Philip Bostock, Chief Executive

Bindu Arjoon, Assistant Chief Executive

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888 www.exeter.gov.uk

To the Chair and Members
of the Planning Committee

Direct dial: 01392 265275

Fax: 01392 265265

email: sarah.selway@exeter.gov.uk

Our ref:

Your ref:

A meeting of the **PLANNING COMMITTEE** will be held in the Rennes Room, Civic Centre, Paris Street, Exeter at **5.30 pm** on **MONDAY 19 FEBRUARY 2007** to consider the following business.

If you have an enquiry regarding any items on this agenda, please contact Sarah Selway, Member Services Officer on **Exeter 265275**.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Pages

AGENDA

Part I: Items suggested for discussion with the Press and public present

1. **DECLARATIONS OF INTEREST**

Councillors are reminded of the need to declare personal and prejudicial interests, including the nature and extent of such interests, in relation to business on the agenda.

2. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
EXCLUSION OF PRESS AND PUBLIC**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Member Services Officer).

3. **APPLICATIONS FOR PLANNING CONSENT, LISTED BUILDING
CONSENT AND ADVERTISEMENT CONSENT**

To consider the report of the Head of Planning Services. 1 - 62

(Report circulated)

4. **SECTION 106 AGREEMENTS**

To consider the report of the Head of Planning Services. 63 - 102

(Report circulated)

5. **TREE PRESERVATION ORDERS**

To consider the report of the Head of Planning Services. 103 - 106

(Report circulated)

6. **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND
WITHDRAWN APPLICATIONS**

To consider the report of the Head of Planning Services. 107 - 130

(Report circulated)

7. **ENFORCEMENT PROGRESS REPORT**

To consider the report of the Head of Planning Services. 131 - 132

(Report circulated)

8. **APPEALS REPORT**

To consider the report of the Head of Planning Services. 133 - 146

(Report circulated)

9.

SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 6 March 2007 at 9.30 a.m. The Councillors attending will be Hannaford Mills and Newby.

DATE OF NEXT MEETING

The next meeting of the Planning Committee will be held on **Monday 26 February 2007** 4.00 pm

Membership –

Councillors H Slack (Chair), Lyons (Deputy Chair), P Brock, Hannford, Mrs Henson, Mills, Mitchell, Moore, D J Morrish, Newby, Shepherd and Wadham

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Individual reports on this agenda can be produced in large print on request to Member Services on 01392 265275.

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Agenda Item 3

ITEM NO. 1

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2500/03 **FULL PLANNING PERMISSION**

APPLICANT: Bovis Homes (SW) Ltd

PROPOSAL: Redevelopment to provide residential units, comprising 4 detached, 11 terraced and 17 flats, parking, vehicular and pedestrian accesses to highway and associated works

LOCATION: Land off Aspen Close, Exeter, EX2

REGISTRATION DATE: 03/01/2007



Scale 1:2500

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HISTORY OF SITE

90/0356/03 - Erection of 7 houses and two bungalows and ancillary works including construction of access to highway.

05/0514/03 - Residential development comprising 22 two/three storey dwellings and 40 self-contained flats in two/three/four storey blocks, parking, access to highway and associated works. This application was recommended for refusal but was withdrawn by the applicant prior to determination.

05/1937/03 – Redevelopment to provide residential units comprising 5 two storey detached, 11 two storey terraced and flats in 2/3 storeys, parking vehicular and pedestrian accesses to highway and associated works. This application was refused following consideration by Committee for the reasons below:-

1. The proposal relates to a visually prominent site located on a hillside adjoining Ludwell Valley Park. By virtue of their siting, design and height, the proposed dwellings would result in an unduly prominent form of development that would breach the existing skyline and would have a significant adverse visual impact on the skyline and the setting of the adjoining Valley Park. The proposal would therefore be contrary to Policies ST1, CO1 and CO6 of the

Devon Structure Plan 2001 to 2016 and Policies LS1, DG1 and DG4 of the Exeter Local Plan First Review 1995 – 2011.

2. Due to the siting, size, design and height of the proposed buildings the proposal would constitute an incongruous form of development in the context of its surroundings to the detriment of the character and appearance of the local area. The proposal is therefore contrary to Policies ST1 and CO6 of the Devon Structure Plan 2001 to 2016 and Policies LS1, DG1 and DG4 of the Exeter Local Plan First Review 1995 -2011.

3. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which make provision for affordable housing and a contribution to off site play area/open space improvements, the proposal is contrary to Policy ST18 of the Devon Structure Plan 2001-2016, and Policies H6 and DG5 of the Exeter Local Plan First Review.

An appeal was submitted that was due for consideration by way of a Public Inquiry in January of this year. However, the appeal has been put into abeyance at the request of the applicant pending determination of this application.

At the time when the application was refused, preparation of a section 106 agreement was well advanced, providing for 25% affordable housing, a contribution of £30,000 towards community facilities in the vicinity of the development, construction of a pedestrian link to Woodwater Lane, and formation of a management company to maintain the pedestrian link and other common parts within the development. In view of the pending appeal, work on that agreement has continued, without prejudice to the Council's defence of the appeal, so that in the event that the appeal is allowed, the agreement will take effect.

DESCRIPTION OF SITE/PROPOSAL

The site currently comprises a number of private dwellings set in substantial grounds. It is elevated and slopes up steeply from Woodwater Lane to its highest point adjoining the Ludwell Valley Park. The site contains a number of trees, particularly around the perimeter that are the subject of Tree Preservation Orders and make a valuable visual contribution to the character and appearance of the area. It is bounded by modern, relatively low-density residential development to the southeast and Ludwell Valley Park to the southwest.

The application seeks full planning permission for the demolition of existing buildings on the site and redevelopment to provide 32 residential units comprising a mix of large detached properties (4), terraced properties (11) and flats (17), together with associated parking and vehicular and pedestrian access to the existing highway network. Vehicular access to the site would be obtained via Aspen Close with a new pedestrian path feeding down from the road to link with Woodwater Lane at the northern corner of the site. The northeast part of the site slopes steeply down to Woodwater Lane and the existing trees on this part of the site would be retained and supplanted with additional landscaping. Each property has at least one allocated parking space and the flats are provided with areas of communal amenity space.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning, Design and Access Statement as well as a Landscape and Visual Assessment of the proposal accompany the application. The Landscape and Visual Assessment concludes :-

"The Site Proposals Plan and the Photomontages demonstrate that the scheme would be integrated into its surroundings in a manner compatible with the existing landscape character. Where visible, the proposals will have a negligible overall impact on the composition of views and will always be seen in the context of existing development. The mature trees along the north western boundary of the site will continue to form the distinctive local skyline. Furthermore, enhancement to the strip of woodland along the south western site boundary will

mean that this vegetation will help to strengthen the locally distinctive wooded skyline in the future. Consequently, there will not be any adverse impacts on the landscape setting of the City or the Park and the proposals will help to enhance the rural character of the Park and contribute to local distinctiveness.

Consequently, I conclude that the landscape and visual impacts should not be a reason for refusing to grant planning permission. These proposals build on the acknowledged strengths of the previous scheme to provide an appropriate and wholly acceptable approach to the site. This will be entirely compatible with the existing landscape character, will be in keeping with the existing pattern of development surrounding the site and in the long-term will enhance the landscape setting of the City."

The Planning, Design and Access Statement considers the history of the site, evaluation of the material considerations, and the Policy context, before concluding that the revised proposal successfully addresses the reasons for refusal of the previous scheme.

REPRESENTATIONS

42 letters of objection have been received, including a number of standard letters, raising the following issues: -

- (a) domination of skyline/Ludwell Valley,
- (b) size/density,
- (c) access, in terms of highway safety and increase in traffic generation,
- (d) loss of green space,
- (e) height (alien to area),
- (f) overdevelopment,
- (g) design/style of development contrary to prevailing character of area,
- (h) adverse amenity impact,
- (i) visual impact,
- (j) increased use of pedestrian access to Ludwell Valley,
- (k) lack of parking - pressure on existing street parking,
- (l) drainage/sewerage
- (m) narrowness of Woodwater Lane/danger of pedestrian access/collapsing bank,
- (n) lack of additional access to Ludwell Valley Park and consequent over use of existing entrance path,
- (o) local schools full,
- (p) pollution, and
- (q) noise.

CONSULTATIONS

Environment Agency – Observations awaited.

County Environment Director – Observations awaited.

Countryside Projects Officer – Comments on the previous application for a similar development were as follows: -

The site could be an important 'route' and feeding area for the badgers that have a sett in the valley park. It could be that the application cannot be decided unless there is a proper understanding of how the site 'functions' (for badgers) in relation to the surrounding land. If it does play a role then what mitigation/compensation is required?

Parks and Leisure - confirm that a contribution would be required from the Section 106 Agreement towards plays areas in the vicinity. The sites within the locality of this

development are Quarry Park, Woodwater Lane and Old Pavilion Close. These facilities will all cater for the new development, but we would more than likely improve the Quarry Park play area. A figure of £30,000 is suggested.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016

ST1 - Sustainable Development
ST10 - Exeter Principle Urban Area
ST18 - Affordable Housing

In providing for housing development in accordance with Proposal ST17, Local Plans should ensure that adequate provision is made for affordable housing, based on an up to date assessment of need, and should secure affordable housing which best meets the needs of the area.

CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

H1 - Search Sequence
H2 - Location Priorities
H6 - Affordable Housing
L4 - Provision of Playing Pitches
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T10 - Car Parking Standards
EN4 - Flood Risk
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG4 - Residential Layout and Amenity
DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 – Transport
PPS9 – Biodiversity and Geological Conservation
PPG16 - Archaeology and Planning
PPS25 - Development and Flood Risk

OBSERVATIONS

The main considerations in respect of this application relate to the visual impact of the scheme, conformity with Local Plan policies, impact on trees and wildlife, provision of affordable housing, the highway implications of the development and design/density. These issues also need to be assessed in the context of the changes that have been made by the applicant to address the previous reasons for refusal.

Essentially the changes to the previous scheme can be summarised as follows:-

- minor changes to layout and footpath alignment to facilitate additional planting at various locations across site, including a significant increase on the slope rising up from Woodwater Lane
- simplification of parking courts

- reduction in number of dwellings, and their height, along the boundary with Ludwell Valley Park, from 5 to 4 units and 2 and half to 2 storeys respectively
- redesign of these 4 units and additional planting
- introduction of an additional flat to compensate for the lost dwelling over the garages (parking spaces 9,10 and 14) adjoining plots 5-14.

Visual Impact

Given the topography of the site and its surroundings it is inevitable that development on this site will be visible from a number of surrounding and distant vantage points. However the proposed relationship of the built form to open countryside is not dissimilar to other sites which adjoin the Ludwell Valley and it is not considered that residential development of the site could be resisted in principle on the grounds of visual impact. Existing and proposed landscaping will help to further assimilate the housing into the landscape on this prominent hillside location. The additional visual and landscape assessment work carried out as part of the current proposal further demonstrate that the visual impact of the proposal would be acceptable and not constitute a reason for refusal.

Impact on trees/wildlife

The layout has been designed to ensure that buildings are located sufficient distance away from important trees to allow for their retention and incorporation as features within the overall design of the development. Where work is proposed in close proximity to trees detailed method statements for construction will be required to be submitted for approval by condition. The Landscape/Tree Officer's comments on the potential impact of the additional flat over the garages have been requested and will be reported at Committee.

The issue of the wildlife impact of the development has been raised, particularly in the context of the badger colony within the Ludwell Valley Park which may use the site for feeding or as a route to other feeding areas. The previous Ecological Report confirmed that the site is probably used for occasional foraging by badgers but that it contained no setts. It is not considered that the layout now proposed would totally eliminate potential foraging on the site. In this context it is not considered that development of the site could be resisted in principle on the grounds of wildlife impact.

Affordable Housing

The scheme has been subject to prior negotiation with officers regarding the provision of Affordable Housing in line with Local Plan Policy. An appropriate mix and siting has been agreed to reflect the mix of house types and sizes, which will result in the provision of some houses and some flats to meet the requirement. Delivery of the affordable housing will also be secured through the Section 106 Agreement.

Highway Implications

Although the formal consultation response of the Highway Authority is awaited given that the overall number of units and access arrangements remain unchanged from the previous scheme it is not anticipated that they will object in principle.

There has been previous discussion regarding the provision of a 2 metre wide footpath along the frontage of the site with Woodwater Lane, and a condition to secure this. However, provision of such a footpath and associated retaining structure would necessitate the removal of a significant amount of vegetation along this boundary, including trees covered by a Tree Preservation Order. This vegetation is considered part of the character of this section of Woodwater Lane and to be of significant importance to the visual amenity of the area. Therefore, due to its potential adverse visual impact this is not favoured, nor considered a pre-

requisite by officers. However, as the issues was raised by members of the Southern Area Working Party the developers have been invited, on a without prejudice basis, to explore the visual implications and practicality of providing a footpath across all or some of this frontage. The outcome of this request will be reported at Committee.

Design/density

The site has an area of just over 1 hectare (1.02 hectares) and the overall number of residential units proposed remains 32. Consequently the density of the proposal only just exceeds the target density of 30-dwellings/hectare set out by Central Government in PPS3 to avoid the inefficient use of land. Hence, whilst the density proposed is greater than that prevailing on the existing part of Aspen Close it is not considered unreasonable and conforms to Government advice and relevant local plan policies which seek to ensure that residential development occurs at the maximum density that can be achieved without detriment to local amenity, the character and quality of the local environment and the safety of local roads. Due to the steeply sloping nature of the northeastern part of the site fronting Woodwater Lane the built form has been confined to the more level part of the site. The slope, which contains a number of trees and vegetation that are considered visually important, will be retained as landscaping with existing vegetation supplemented by further planting. A footpath feeding through this area will provide pedestrian permeability through the site down to Woodwater Lane. The layout also provides for the retention of significant trees on the remainder of the site either within open space, along boundaries or in communal amenity areas.

The buildings proposed are either traditional two storey buildings or 2 and half storey buildings with the second floor accommodation provided within the roof utilising dormer windows. Given the topography of the site, and the relationship with surrounding properties, the layout and scale of buildings is considered acceptable. The distances between the proposed buildings and existing properties (most notably those in Aspen Close) are considered sufficient to ensure that there are no significant overlooking/privacy issues. The larger detached units have been positioned on the highest part of the site nearest the boundary with the Ludwell Valley Park create a more spacious feel on this part of the site with the boundary to the Valley Park being further reinforced with additional planting.

In the context of the site constraints, such as topography and trees, the level of amenity space provided to serve the proposed units is considered acceptable All of the flats are provided with satisfactory levels of communal amenity space. Open space is provided within the layout to an acceptable level. It is not thought that an equipped play area is required on this site due to other facilities in the locality that can serve the development subject to improvement works. Accordingly, a financial contribution to the improvement of local play areas/open space is requested which would be secured as part of a Section 106 Agreement.

Each property is provided with space to store 2 bins within their gardens and the flats are provided with communal refuse stores. There is a balance to be struck between ensuring adequate refuse storage areas are provided and their visual impact if they are located directly in front of properties where they can detract from the street scene. Each property has access from the refuse storage areas to either the front of the properties or communal areas such as parking courts through garages or via paths so that bins can be placed out on collection days. This approach avoids the need for bins to be permanently stored in visible locations.

The changes made to the scheme are considered to represent a further improvement on the previously submitted scheme. Therefore, in terms of design and density the current proposal is considered acceptable.

SOUTHERN AREA WORKING PARTY

Ward members raised the following residents concerns

- too many dwellings
- visual impact
- traffic/safety implications.

Concerns were also expressed regarding the footpath coming out on to a main road, no capacity in local school and securing of the bank/boundary to Woodwater Lane.

In response to Members concern regarding the capacity of schools in the area it should be noted that in connection with the previous application the applicant had provided a copy of correspondence from the County Council confirming that no education contribution would be required in connection with development of this site.

SITE INSPECTION PARTY

Members viewed the site from Woodwater Lane, Ludwell Valley Park and within the site itself. Members raised concern about the treatment of the boundary with Woodwater Lane. It was considered that there was a highway safety issue regarding increased usage of the area with the introduction of the new footpath through the site. One Member considered that there should be a new footway along Woodwater Lane. It was considered that further work should be carried out in respect of this bank to ensure its stability. In addition, it was queried whether the existing line of the footway was originally a bridleway.

Members considered that the view from Ludwell Valley Park was acceptable given the number of existing trees along this boundary.

Members made comments related to the overall density level within the site given the character of the area. In particular, it was considered that there was an over provision of flats within the scheme. Whilst it was recognised that improvements had been made in respect of the housing backing onto Ludwell Valley Park and additional landscaping had been indicated, there was still a general feeling by Members that there were too many dwellings on the site.

One Member considered that there was a previous refusal approx. 20 years ago and requested details as to why this application was refused.

Cllr Danks and Cllr Mrs Morrish attended the site inspection

CONCLUSIONS

The scheme currently under consideration incorporates a number of changes which seek to address the concerns embodied in the reason for refusal of the previous scheme. The last scheme was considered acceptable by officers, and the changes made are considered to improve the scheme overall in terms of its potential visual impact. Therefore, subject to the comments of the Landscape/Tree Officer on the impact of the additional flat proposed, the current scheme is recommended for approval.

In the context of the surrounding area the overall density is considered appropriate and is at the lower end of the target densities set by Central Government for new development. Overall the scheme is considered to represent an appropriate form of redevelopment of this site in terms of its visual impact, relationship to surrounding properties, impact on landscaping and highway implications.

The outcome of further investigations into the possibility of a footpath across the site frontage will be reported at Committee. However, given the visual contribution of the existing boundary to the character and appearance of the area it is not considered that the provision of a footpath is a pre-requisite to granting consent.

RECOMMENDATION

Subject to completion of a Section 106 Agreement in respect of Affordable Housing, contribution to off site play area/open space improvements, establishment of a management company and provision of a footpath link to Woodwater Lane

APPROVE subject to the following conditions:-

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) Prior to the commencement of the development hereby approved details of a fixed datum point relative to the finished floor and ridge levels specified on the approved drawings shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the proposed dwellings are constructed at an agreed level in the interests on the visual amenity of the area.
- 4) C38 - Trees - Temporary Fencing
- 5) C12 - Drainage Details
- 6) C17 - Submission of Materials
- 7) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.
Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.
- 8) C57 - Archaeological Recording
- 9) C70 - Contaminated Land
- 10) C72 - Highway - Estate Roads etc
- 11) H02 - Highways - Provision parking, etc
- 12) Notwithstanding condition no. 2 no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) hours of construction,
 - b) location, size and layout of site compound, and
 - c) refuse storage arrangements.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

- 13) Prior to the commencement of the development hereby approved a timeframe for the implementation of the landscaping scheme shown on drawing No. 0024-3005, received on 27th November 2006, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the said landscaping scheme shall be fully implemented in accordance with the approved details and timeframe.

Reason: In the interests of the visual amenities of the locality.

ITEM NO.

2

COMMITTEE DATE: 19/02/2007

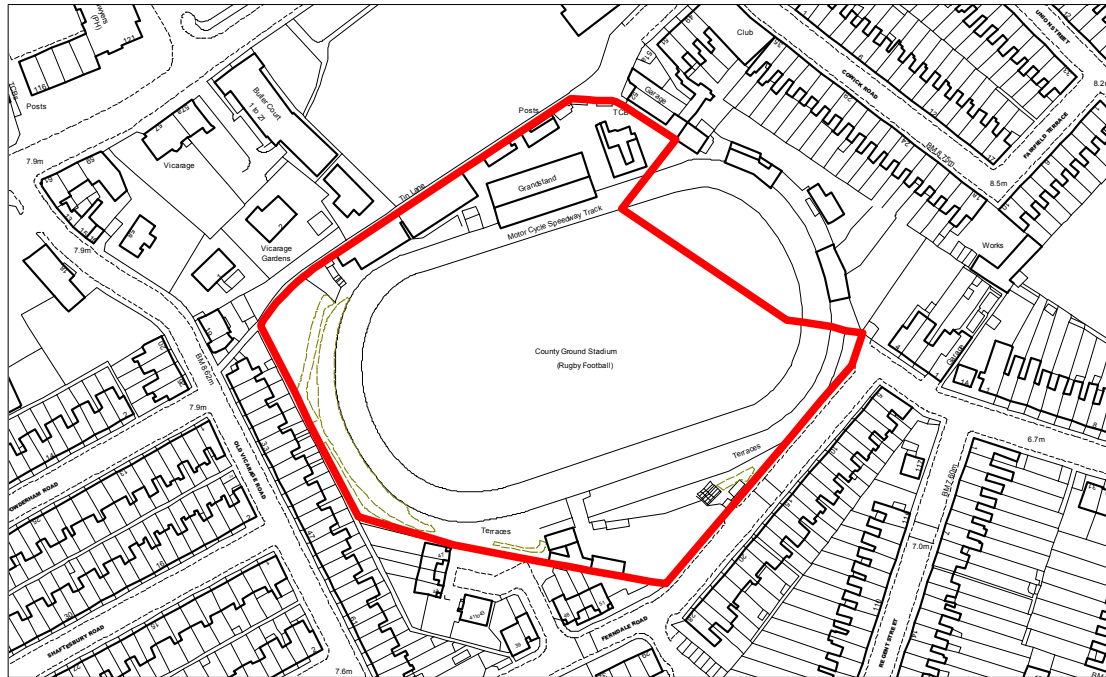
APPLICATION NO: 06/2320/02 **APPROVAL OF RESERVED MATTERS**

APPLICANT: Bellway Homes South West

PROPOSAL: Redevelopment to provide 110 dwellings, parking and associated works (approval sought of reserved matters on Ref. No. 03/1611/01 granted 23 August 2004) for siting, design, landscaping and external appearance

LOCATION: County Ground, Church Road, St. Thomas, Exeter, EX2 9BQ

REGISTRATION DATE: 08/11/2006



Scale 1:2500

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HISTORY OF SITE

An application for outline planning permission with a Section 106 Agreement was approved in August 2004 for residential development. The Section 106 Agreement required a financial contribution towards the provision of community facilities, an education contribution, public transport improvements and traffic calming measures in the area.

In June 2006 Planning Committee approved consent for 53 residential flats as accommodation for the elderly on part of the site.

A previous application proposed to erect 70 dwellings and 51 flats, a total of 121 residential units on the remainder of the site. The overall density of the scheme was 64 units per hectare. This application was reported to Planning Committee in March 2006 and refused due to inadequate arrangements for refuse collection, insufficient parking spaces and an absence of contribution to sustainable transport measures in the area.

DESCRIPTION OF SITE/PROPOSAL

The application site (1.89 hectares) comprises the former County Ground bordered by the rear gardens of existing properties in Old Vicarage Road and properties within Vicarage Gardens. In addition, the development would create a new frontage onto Ferndale Road and with the retirement scheme recently approved.

The residential scheme proposes a total of 110 residential units comprising of 60 dwellings (39 No four bed, 18 No. three bed and 3 No. one bed) and 50 flats (40 No two bed and 10 No. one bed). The overall density would be 58 units per hectare.

The development would be served via a newly created access opposite existing properties in Ferndale Road although 34 units would be served via a secondary access from Church Road to the north. The internal road layout effectively creates a 'loop' from Ferndale Road access but there is no through road to Church Road. The parking for the site is through a combination of garage blocks, parking courts and parking bays off the main access road. There are 170 off street parking spaces, 7 off street visitor spaces, 5 on street visitor spaces and 1 car club space. The allocated number of parking spaces has been provided at a ratio of two spaces per residential unit and one space per flat.

The application incorporates public open space of 0.19ha which represents 10% of the total area.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

To accompany the planning application the following reports were submitted:-

Design and Access Statement
Transport Assessment
Statement of Community Engagement

REPRESENTATIONS

29 letters of objection. Principal planning issues raised:-

1. Overdevelopment of site/ density too high;
2. Too many houses in St Thomas already;
3. Pressure on local services such as doctors, dentists, school and medical services particularly given the influx of elderly residents;
4. Proposed building too high, out of character with area;
5. Greenfield not a brownfield site;
6. Increased pollution levels from extra traffic;
7. Inadequate parking spaces causing increased pressure on local roads
8. Inappropriate development within flood plain;
9. Pressure on existing infrastructure in particular drainage and sewage;
10. Overlooking and loss and privacy;
11. Design out of character with surrounding Victorian buildings;
12. Inadequate provision for bin storage;
13. Need for a permanent block to prevent rat run between Cowick Street and Alphington Street;
14. Overdominance of building, too close to Cowick Road, overshadowing of existing dwellings;
15. Buildings fronting Ferndale Road are too close to the road;
16. Materials should be brick in keeping with local area;
17. Car ports should be built instead of garages to prevent them being used for storage;
18. Lack of reference to sustainable development;
19. Need for a community meeting place within the scheme;
20. Maximum number of dwellings should be 95 homes;
21. Need for a greater emphasis on tree planting.

CONSULTATIONS

The Director of Environment, Economy and Culture raises no objection subject to the imposition of appropriate conditions.

The Head of Environmental Health raises concerns regarding the siting and provision of refuse storage within the site and requires additional information to address this concern.

The Environment Agency raises no objection subject to the imposition of appropriate conditions.

The Head of Housing and Social Inclusion requests the provision of 25% of the homes as affordable to meet the needs of designated people on low incomes as identified in the Council's Housing Strategy.

South West Water raises no objection.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016

- ST1 - Sustainable Development
- CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

- H1 - Search Sequence
- H2 - Location Priorities
- H6 - Affordable Housing
- H7 - Housing for Disabled People
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- DG1 - Objectives of Urban Design
- DG2 - Energy Conservation
- DG4 - Residential Layout and Amenity
- DG7 - Crime Prevention and Safety

OBSERVATIONS

The principle of residential development of this site has been established by the approval of an outline application in August 2004. The site has been the subject of a previously refused planning application, a public consultation exercise carried out by the applicants and a series of meetings with planning officers to seek an acceptable solution for this site. The assessment of this application is based on the requirements of the outline planning application, the Local Plan and the detailed design of the proposal to ensure that the scheme is appropriate within the local area and to existing residents and meets satisfactory levels of amenity to future residents.

The previous application raised serious concerns about the parking and access arrangements associated with the redevelopment of the site for residential purposes. The current scheme provides an overall parking ratio of 1.65 per units and removes the possibility for through traffic between Ferndale Road and Church Road. This arrangement has been provided in direct response to comments made by local residents. Following discussions with the applicants and the submission of minor amendments the Director of Environment, Economy

and Culture now raises no object to the proposal subject to the imposition of suitable conditions.

The Section 106 Agreement associated with the original outline planning permission required the provision of 25% affordable housing. The original site incorporated both the current 'Bellway' site and the adjacent 'Pegasus' site recently granted consent for retirement flats. No affordable housing is to be provided within the Pegasus site and accordingly this will place the complete allocation for the affordable housing on the Bellway site. It is understood that discussions have been ongoing between the applicant and the housing association regarding the mix and location of the affordable housing element but no formal agreement has been reached.

The submitted proposal indicates a total of 10% public open space located in two areas which meets the requirements of the Local Plan. However it is the private amenity provision associated with the units that causes most concern in respect of this proposal.

The Exeter Local Plan states that for dwellings garden space should not normally be smaller than 55 sq metres. It goes on to state that 'in considering garden size the orientation and scale of buildings will be taken into account. Larger houses will generally require more than 55 sq metres while less space may be adequate for smaller houses'. The scheme proposes a number of 2.5 and 3 storey high dwellings identified as house types G, J and K. Whilst it was noted that these properties in most cases meet the minimum standards given the requirements of the Local Plan a larger private amenity area would be required to ensure that the resultant buildings do not dominate or overshadow the individual plots.

The Exeter Local Plan states that for flats '...a minimum of 10sq metres of communal space per dwelling will be applied as a rule of thumb, although there will be cases where more should be provided'. In a number of locations the flats/ flats over garages do not meet the minimum requirements as stated in the Local Plan. In particular the main flat block located adjacent to the Tin Lane is significantly deficient in overall amenity provision in all but 4 of the 34 flats. The majority of the flats are served by inadequate balconies which offer little practical private amenity space and there is no communal space associated with this block

In conclusion, it is considered that the inadequate provision of the amenity space for the dwellings and flats throughout the site would result in a cramped form of development which would offer a poor level of private garden and communal area for future residents and detrimental to acceptable levels of amenity these residents would expect to enjoy. In addition, the lack of detailed information regarding the bin storage provision and bin collection arrangements may place further pressure on the limited amenity provision.

The proposed scheme is architecturally contemporary in form and this approach is acceptable in principle. Concern is raised however regarding the submitted design in respect of the fenestration details and the relationship of roof heights and roof pitches particularly on the corner sites. It is not considered that the submitted plans and elevations provide the necessary reassurances to ensure that a contemporary scheme of this nature is acceptable in this location.

RECOMMENDATION

REFUSE for the following reasons:

- 1) The proposal does not accord with national and local planning policies promoting good design in all development proposals. By reason of its inappropriate design, layout, scale, massing, materials and inadequate landscaping the proposed development fails to create a distinctive sense of place, a quality public realm, or spaces and routes that are attractive and safe. The proposal therefore detracts from the character and appearance of the surrounding area and is contrary to Policies ST1 and CO6 of the Devon Structure Plan 2001 – 2016, Policies DG1, DG4, DG6 and DG7 of the Exeter Local Plan First Review, and advice in the DETR document “By Design – Urban design in the planning system: towards better practice”.
- 2) The proposal would be contrary to Policy CO6 of the Devon Structure Plan 2001 – 2016 and Policy DG4 of the Exeter Local Plan First Review because it would provide inadequate amenity provision in terms of garden depth, area and quality, to the detriment of the living conditions of future occupiers of the proposed dwellings.
- 3) Adequate information has not been submitted to satisfy the Local Planning Authority that adequate provision has been made for affordable housing. The proposal is therefore contrary to Policy ST18 of the Devon Structure Plan 2001 – 2016, Policy H6 of the Exeter Local Plan First Review, the Council’s draft Supplementary Planning Guidance on affordable housing and does not comply with the terms of the Section 106 Agreement entered into in relation to Outline Planning Permission 03/1611/01.

ITEM NO. 3

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2477/03 **FULL PLANNING PERMISSION**

APPLICANT: Mr and Mrs M Beresford

PROPOSAL: Redevelopment to provide detached dwelling and associated works

LOCATION: 12 St. Leonards Road, Exeter, EX2 4LA

REGISTRATION DATE: 24/11/2006

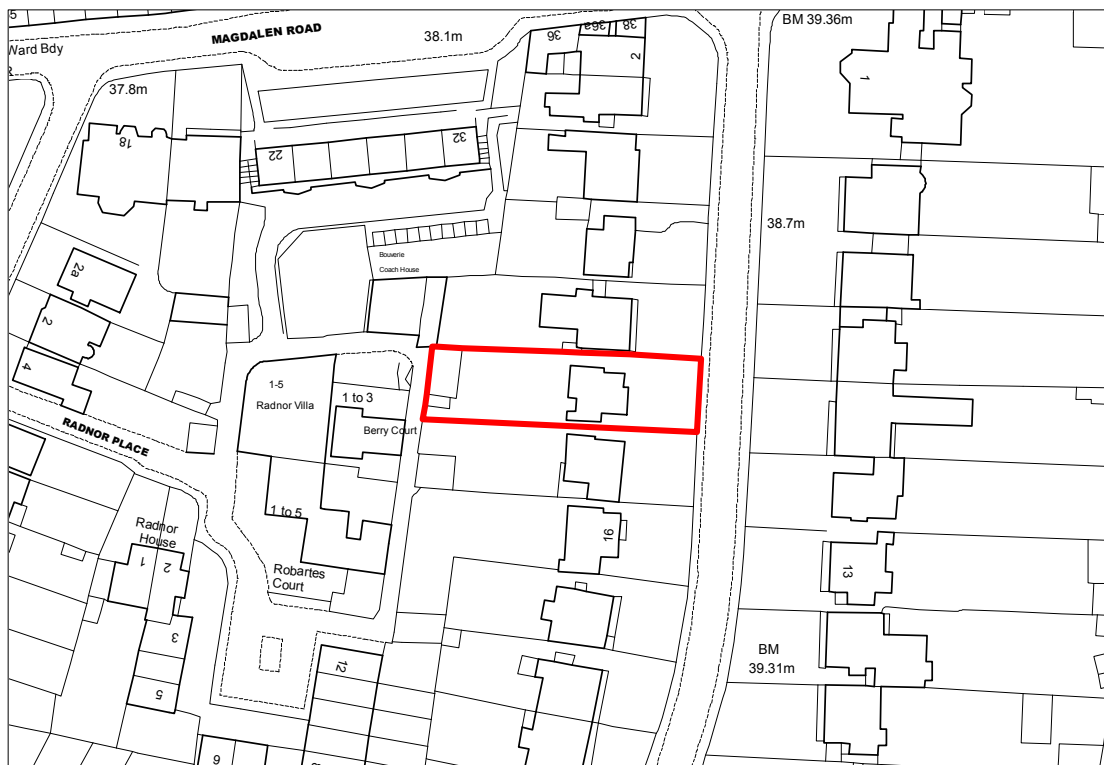
APPLICATION NO: 06/2476/14 **CONSERVATION AREA CONSENT**

APPLICANT: Mr & Mrs M Beresford

PROPOSAL: Demolition of dwelling and associated outbuildings

LOCATION: 12 St. Leonards Road, Exeter, EX2 4LA

REGISTRATION DATE: 24/11/2006



Scale 1:1250

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DESCRIPTION OF SITE/PROPOSAL

The application site is located on the western side of St Leonards Road approximately 110 metres from its junction with Magdalen Road. The site has a boundary to the rear with Radnor Place and the property's existing triple garage is accessed via this road. The existing two storey detached dwelling is of a traditional design, rendered with a tiled pitched roof, hipped gable and a distinctive large staircase window to the front elevation. The site is located within the St Leonards Conservation Area and a Grade 2 listed building No. 10 St Leonards Road, is located immediately to the north.

It is proposed to demolish the existing dwelling and replace with a contemporary designed dwelling four storey building. The resultant dwelling would create au pair accommodation and playroom within the basement, kitchen, family room and study at ground floor, three bedrooms and a study at first floor and a master bedroom, en suite and terrace on the second floor. The originally submitted separate rear annex and garage block has been removed from the application.

The existing dwelling has a ridge height of 8.2 metres which is lower than the neighbouring properties at No 10 and No 14 St Leonards Road which measure 8.7 metres and 9.2 metres respectively. The site slopes from the road to the rear garden and heights are greater when measured from the rear. The proposed dwelling would attain a height of 9.2 metres when measured from the front. The proposed dwelling's distinctive roof enables the overall height to appear lower and allows for the creation of a front facing terrace. The building would use render, brick, timber and stone with a terne coated steel roof. The resultant building will retain the same building line to the street as established by the two neighbouring properties.

Conservation area consent is sought for the demolition of the existing building.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The applicants submitted a Design and Access Statement with the application and 3D images of the proposed new dwelling.

REPRESENTATIONS

7 letters of support have been received including comments that the building will represent a 'stylish and attractive' and 'handsome and impressive' addition to the mix of houses in the area and 10 letters of objection. Principal planning issues raised:-

1. Unsympathetic to the character of the area
2. Third floor terrace inappropriate and creates the potential for overdominance and overlooking.
3. Intrusive design in particular the height of the building and excessive use of glass, overbearing to residents and users of St Leonards Road
4. Loss of outlook
5. Overdevelopment of the site
6. Increased number of cars and noise in the area.
7. Unacceptable loss of a structurally sound house.
8. Intrusive modern development.

CONSULTATION

The Director of Environment, Economy and Culture considers that the replacement new dwelling is acceptable subject to a condition being attached to secure the provision of off-street parking. An objection was originally raised to the proposed annex which has subsequently been deleted from the application.

The Head of Environment Services considers that there is adequate bin storage.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

- ST1 - Sustainable Development
- C06 - Quality of New Development.
- C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

- C1 - Conservation Areas
- C2 - Listed Buildings
- C5 - Archaeology
- DG1 - Objectives of Urban Design

DG 7 - Crime Prevention and Safety.
EN4 - Flood Risk

OBSERVATIONS

The principal guidance for the determination of this application is drawn from advice contained within PPG15 Planning and the Historic Environment. The advice requires that the applicant should provide sufficient justification for the removal of the existing dwelling. The general presumption should be in favour of retaining buildings which make a positive contribution to the conservation area. If there is not a positive then the relative merits of the new building need to be assessed and whether the new building preserves or enhances the character and appearance of the conservation area.

It is considered that the existing building does not make a positive contribution to the conservation area and given the quality of the proposed replacement dwelling its removal is considered acceptable. Whilst the existing building has the rendered finish that is prevalent in the area, the building does not contain detailed architectural features such as white stucco, bracketed projecting eaves details, distinctive fenestration and glazed veranda canopies which define the area's particular character and appearance.

The proposal is bold in design and represents a contemporary architecture which draws reference in its design from other buildings within the Conservation Area, in particular the introduction of a front veranda and window proportions. It is considered that the architectural style of the building would be acceptable in this location. The roof will be no higher than the ridge of the existing building and the terraces have been designed to restrict overlooking to the adjoining dwelling. The proposal which respects the scale and massing of the original dwelling will not cause any increased loss of light to neighbouring dwellings.

WESTERN AREA WORKING PARTY

Members considered that given the sensitivity of a replacement dwelling of a contemporary nature within the St Leonards Conservation Area it was considered that a site inspection would represent the most appropriate course of action.

SITE INSPECTION REPORT

Members viewed the site from within St Leonard's Road and also from the rear access. They were concerned that there may not be adequate justification for the demolition of the existing dwelling rather than retention and refurbishment, contrary to Local Plan policy DG2. They were also concerned that the proposed annex would have a poor relationship with other residential properties at close proximity to the rear, and a poor standard of amenity for the occupants. It was requested that the case officer ensures that the scale and massing of the proposed new dwelling relates satisfactorily to the height and massing of the adjoining dwellings in St Leonard's Road, since this was not clear from the illustrative perspective drawings submitted with the application.

RECOMMENDATION

APPROVE application 06/2477/03 subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 29 January 2007 (dwg no. 0631-101 rev B; 0631-102 rev B; 0631-103 rev B; 0631-104 rev B; 0631-107 rev B & 0631-108 rev B), as modified by other conditions of

this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C35 - Landscape Scheme
- 6) C37 - Replacement Planting
- 7) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) boundary treatment;
 - (e) refuse storage;
 - (f) hours of construction;
 - (g) parking area surfacing.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 8) No part of the development hereby approved shall be occupied until the accesses, off street parking facilities and on site turning areas have been provided in accordance with the requirements of this permission and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 9) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.

APPROVE application 06/2476/14 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 29 January 2007 (dwg no. 0631-101 rev B; 0631-102 rev B; 0631-103 rev B; 0631-104 rev B; 0631-107 rev B & 0631-108 rev B) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) boundary treatment;
 - (e) refuse storage;
 - (f) hours of construction;
 - (g) parking area surfacing.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

ITEM NO. 4

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2493/03 **FULL PLANNING PERMISSION**

APPLICANT: Sutton Harbour Property & Regeneration Ltd
PROPOSAL: Change of use from former warehouse (Class B8) to shops (Class A1), financial and professional services (Class A2) and offices (Class B1) and external and internal alterations to windows, doors and walls

LOCATION: 60 Haven Road, Exeter, EX2 8DP

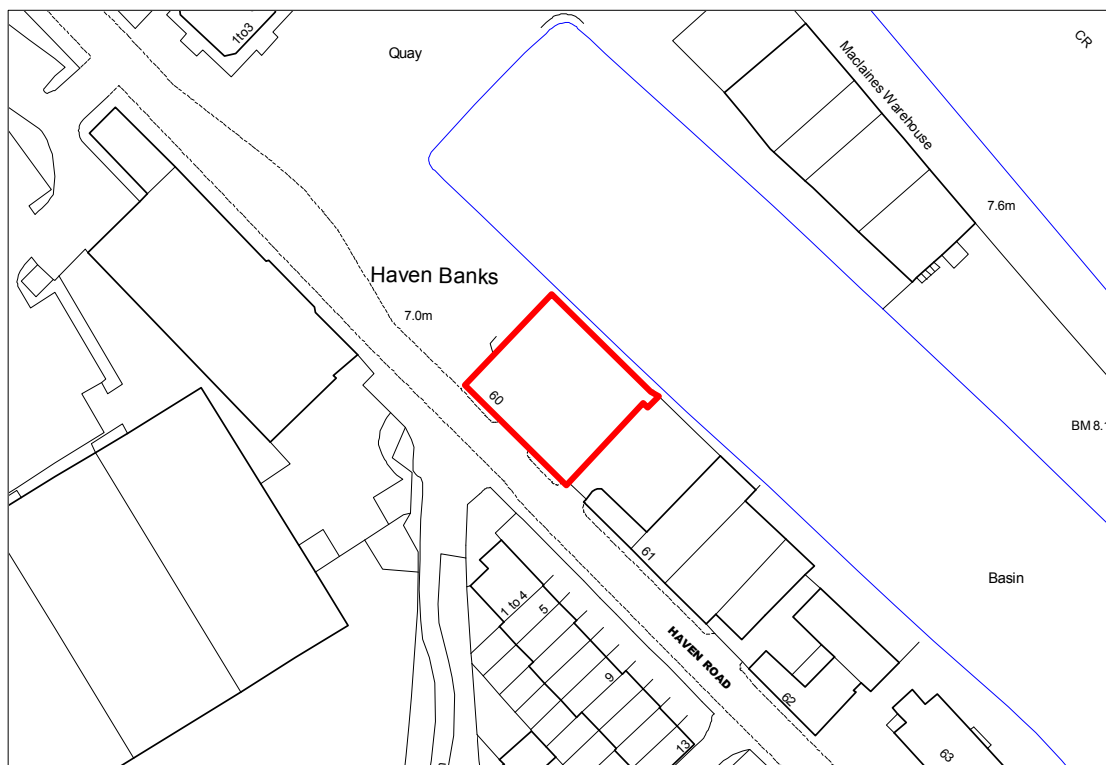
REGISTRATION DATE: 24/11/2006

APPLICATION NO: 06/2498/07 **LISTED BUILDING CONSENT**

APPLICANT: Sutton Harbour Property & Regeneration Ltd
PROPOSAL: External and internal alterations to windows, doors, walls and other minor works

LOCATION: 60 Haven Road, Exeter, EX2 8DP

REGISTRATION DATE: 24/11/2006



Scale 1:1250

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HISTORY OF SITE

In 2002 planning applications were submitted to comprehensively redevelop the area either side of the Canal Basin. Following significant objections to the proposals principally in respect of overdevelopment, inappropriate design, poor access and loss of boat storage areas the applications were withdrawn. In response to the comments raised and to provide appropriate guidelines for future development a series of meetings were held with local residents and principal stakeholders with the aim of producing a Canal Basin Master Plan. This document was adopted in July 2004.

DESCRIPTION OF SITE/PROPOSAL

This proposal seeks the conversion of 60 Haven Road, a Grade 2 listed former warehouse located on the south western side of the Canal Basin and close to the Old Electricity Building.

It is proposed to convert this building which has recently been used for exhibition and storage purposes into retail (Class A1) and financial and professional services (Class A2) on ground floor with offices (Class B1) on the first floor. The application would result in the creation of two units on the ground floor measuring 188 sq metres and 157 sq metres with the provision of toilets, plant room, refuse store and lift serving all the new units. At first floor two open plan office units would be created occupying floor areas of approximately 226 sq metres and 184 sq metres.

The proposed applications involve some alteration to the internal and external fabric of the building. The proposed internal layout has retained the original separation of the building into two distinct units. The main internal changes are the removal of the staircase to enable improvements to the toilet facilities, refuse storage, plant room and the introduction of a new lift. In addition, the first floor has been raised to enable the necessary levels of acoustic separation between floors. All the internal walls are to be lined with either concrete blockwork or insulated timber studwork. The ridge level is proposed to be increased by approximately 50mm and the roof underside is to be insulated. The resultant roof will be finished in natural slate.

The applications propose a series of external changes most significantly involving the removal of an external staircase fronting onto the Piazza Terracina, alteration to existing windows and the creation of new openings.

The elevation fronting the Canal Basin involves the main changes. At ground floor four additional full height windows are proposed to serve the two new commercial units. The existing doors on this elevation are to be blocked up. At first floor new timber framed windows are to be introduced, window cills in some instances lowered and original openings reinstated.

On the Haven Road frontage, the changes involve the introduction of a new window into an existing opening and the change from an existing window into a timber panelled door to serve the new refuse storage area. At first floor level, one additional window is to be introduced and existing window openings enlarged to their original size.

The elevation facing Piazza Terracina would be significantly altered with the removal of the external staircase and associated first floor entrance. At ground floor, the existing doorways would become a new window and an existing window changed to a door to serve the new plant room. The remaining elevation would remain largely unchanged except for the insertion of an additional window and the introduction of new timber framed windows to all openings.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

To accompany both the planning and listed building applications the following reports were submitted:-

Design and Access Statement
Phase 1 Environmental Assessment
Noise Assessment Report
Flood Risk Assessment
Transport Statement
Archaeological, Historical and Conservation Study

REPRESENTATIONS

One emailed objection to both application 06/2493/03 and 06/2498/07 on grounds that the proposal does not address the current traffic congestion entering and leaving the Haven Road

area of St Thomas. The scheme represents overdevelopment until a relief road is included in the proposals.

CONSULTATIONS

The Director of Environment, Economy and Culture's views are awaited.

The Environment Agency raise no objection subject to the imposition of a condition regarding contamination and where possible the introduction of sustainable development measures within the resultant building.

The Head of Leisure and Museums recommends that suitable provision is incorporated into the building for swallow nesting and bat roosting.

The Head of Environmental Health raises no objection subject to conditions regarding details of noise emissions for all fixed plant and equipment and the need for a contamination report.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

- ST1 - Sustainable Development
- C06 - Quality of New Development.
- C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

- C1 - Conservation Areas
- C2 - Listed Buildings
- C5 - Archaeology
- DG1 - Objectives of Urban Design
- DG 7 - Crime Prevention and Safety.
- EN4 - Flood Risk
- KP6 - Quay/Canal Basin Area

A Masterplan was adopted in July 2004 which states that:-

A mix of uses such as specialist retail, café/bar, leisure/exhibition space would be appropriate on the ground floor with the upper floors suitable for leisure, exhibition or office space.

External elevations that retain the essential character of the building but which continue to enliven the spaces the building fronts are required. There is scope to restore some original character by removal of more recent alterations.

A boardwalk flush to the quayside will provide a 3 metre wide pedestrian footway.

OBSERVATIONS

The proposed use of the building for retail and office use complies fully with the requirements of the Masterplan and is therefore acceptable. Whilst financial and professional services is not specifically mentioned, it is recognised that uses of this nature are compatible alongside retail premises and do contribute to an active pedestrian street frontage a stated objective of this document of the Masterplan.

The proposed changes to the building are to be welcomed as they involve the removal of more recent visually harmful interventions and seek to reinstate the original features of the building.

Where external changes are to be made as a consequence of the intended new uses, it is considered that these are sympathetic to the fabric of this Grade 2 listed building. The use of natural slate, timber framed windows and the reintroduction of brick work is considered appropriate not only for the building but the character and appearance of the conservation area. Overall it is considered that the necessary attention has been made to retain the character and openness of the building and where this has resulted in new openings or enclosures these have been dealt with in a sensitive manner.

WESTERN AREA WORKING PARTY

Members were given a brief presentation of the Canal Basin applications and advised that the matter would be reported to Planning Committee. However Members did express the view that they were favourable to the proposals on initial inspection.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement requiring a financial contribution towards highway works in the area.

APPROVE application 06/2493/03 subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C57 - Archaeological Recording
- 6) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) lighting;
 - (e) boundary treatment;
 - (f) refuse storage;
 - (g) hours of construction and location of site compound.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 7) No development shall commence until details of the works to be carried out in association with the adopted Canal Basin Public Realm Plan have been submitted to and approved by the Local Planning Authority and there after carried out in accordance with the approved details.
Reason: To accord with the requirements of the Public Realm Plan and in the interests of visual amenity.
- 8) No development shall commence until a wildlife survey (particularly in respect of

bats) has been undertaken and submitted to the Local Planning Authority to establish the presence of wildlife within the building and identify opportunities to incorporate wildlife habitats within the buildings. Following the written approval of the survey by the Local Planning Authority the recommendations shall be undertaken in accordance with the approved details.

Reason: In the interests of improving wildlife habitats in the area.

- 9) The ground floor units shall only be used for retail (Class A1) or financial and professional services (Class A2) purposes and only one of the ground floor units hereby permitted shall be occupied by an A2 use at any one time.

Reason: To accord with the Canal Basin Masterplan and ensure the vitality and viability of the area.

APPROVE application 06/2498/07 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:

i) extent of any areas to be re-pointed or re-rendered;

ii) new and replacement rainwater goods;

iii) new extract grilles and flue outlets;

iv) full construction details of roof glazing;

v) window and doors including large scale details of glazing, opening method and finish.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

ITEM NO.

5

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2494/03 **FULL PLANNING PERMISSION**

APPLICANT: Sutton Harbour Property & Regeneration Ltd
PROPOSAL: Change of use from former warehouse (Class B8) to shops (Class A1), financial and professional services (Class A2) and offices (Class B1), provision of gallery space, external and internal alterations to windows, doors, walls and roof

LOCATION: Maclaines Warehouse, Haven Road, Exeter, EX2 8GR

REGISTRATION DATE: 24/11/2006

APPLICATION NO: 06/2495/07 **LISTED BUILDING CONSENT**

APPLICANT: Sutton Harbour Property & Regeneration Ltd
PROPOSAL: External and internal alterations to roof, doors, windows, walls and stairs and removal of external staircase and toilet block

LOCATION: Maclaines Warehouse, Haven Road, Exeter, EX2 8GR

REGISTRATION DATE: 24/11/2006



Scale 1:1250

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HISTORY OF SITE

In 2002 planning applications were submitted to comprehensively redevelop the area either side of the Canal Basin. Following significant objections to the proposals principally in respect of overdevelopment, inappropriate design, poor access and loss of boat storage areas the applications were withdrawn. In response to the comments raised and to provide appropriate guidelines for future development a series of meetings were held with local residents and principal stakeholders with the aim of producing a Canal Basin Master Plan. This document was adopted in July 2004.

DESCRIPTION OF SITE/PROPOSAL

The proposal intends to convert an existing warehouse currently used for temporary retail purposes for a mixture of retail (Class A1), financial and professional services (Class A2),

office (Class B1) and potential gallery space. This building was formerly used as Exeter's Maritime Museum. The proposal would involve the creation of four commercial units measuring 167 sq metres, 163 sq metres, 129 sq metres and 74 sq metres on the ground floor for retail and financial/professional services and an entrance area to serve the upper floors. The units would be separated by natural divisions within the existing building. On the first floor, two commercial units would be created measuring 324 sq metres and 189 sq metres served off a communal atrium. The units for office use would also include new toilet facilities and an internal escape stairs which would replace an external stairs. On the second floor, a further two units are proposed measuring 329 sq metres and 196 sq metres which would also be served off the communal atrium.

The proposed building is listed Grade 2 and is located within the Riverside Conservation Area. The proposed uses require a series of internal and external changes. The internal layout has followed the main structural division within the building but it is proposed to create some internal openings and enclosures to enable the satisfactory use of the space and to provide additional functional elements such as refuse storage areas, toilets, new lift, plant room and escape staircase.

On the ground floor, two new openings would be created within the existing north west side gable wall and the south east wall to enable access to the refuse store, plant room and escape stairs. On the first floor, three new internal openings would be created to allow access into the units from the central atrium and within the larger Unit 5, two new openings have been introduced to allow circulation within this space. Whilst the open aspect of the spaces would be reduced by the introduction of the toilets and the stairs, this would be offset by the removal of an existing staircase and some internal partitions. On the second floor, similar alterations are proposed although fewer new openings are necessary because of the existing openings within the original internal walls.

The application does not seek any new openings within the elevation fronting onto the Canal Basin. It is proposed to retain the appearance of the former warehouse throughout this elevation by the retention of the timber doors/shutters and at ground floor the shop fronts would be created via recessed glazing panels. The only significant change on this elevation would be the removal of the large timber doors and replacement with a glazed shopfront to form the entrance/display area to Unit 1A. The remainder of the openings within this elevation would be replaced with timber framed windows.

Similarly the elevation fronting the river will remain largely unchanged with no change to the openings but the windows themselves being replaced with painted timber framed windows. The most significant change to this elevation is the introduction of a new entrance on the ground floor to serve the commercial units at the first and second floor level. The proposed glazed entrance would replace two existing low level windows located behind Unit 1A.

The south east elevation currently contains an external staircase and toilet extension which are due to be removed and replaced by two new openings. The new doors would serve the escape staircase and new plant room. The existing openings at first and second floor are to be retained and new painted timber framed windows would be introduced.

The north west elevation is currently blank. This elevation is located adjacent to the proposed new building and accordingly will be largely screened from view. It is proposed to introduce two new openings at ground floor level to serve the refuse storage areas and a single window at first and second floor level to provide light into the commercial areas.

The roof is proposed to be raised by approximately 50mm to accommodate insulation and roof glazing will be introduced. The finished roof material will be grey natural slate as existing.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

To accompany both the planning and listed building applications the following reports were submitted:-

Design and Access Statement
Phase 1 Environmental Assessment
Noise Assessment Report
Flood Risk Assessment
Transport Statement
Archaeological, Historical and Conservation Study

REPRESENTATIONS

One emailed objection to both application 06/2494/03 and 06/2495/07 on the grounds that the proposal does not address the current traffic congestion entering and leaving the Haven Road area of St Thomas. The scheme represents overdevelopment until a relief road is included in the proposals.

CONSULTATIONS

The Director of Environment, Economy and Culture's views are awaited.

The Environment Agency raise no objection subject to the imposition of a condition regarding contamination and where possible the introduction of sustainable development measures within the resultant building.

The Head of Leisure and Museums recommends that suitable provision is incorporated into the building for swallow nesting and bat roosting.

The Head of Environmental Health raises no objection subject to conditions regarding details of noise emissions for all fixed plant and equipment and the need for a contamination report.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

ST1 - Sustainable Development
C06 - Quality of New Development.
C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

C1 - Conservation Areas
C2 - Listed Buildings
C5 - Archaeology
DG1 - Objectives of Urban Design
DG 7 - Crime Prevention and Safety.
EN4 - Flood Risk
KP6 - Quay/Canal Basin Area

A Masterplan was adopted in July 2004 which states that:-

A mix of uses which involve minimal intervention to the fabric of the building is required. Ground floor uses could include specialist retail, leisure, exhibition, office or craft workshop space.

No new openings will be permitted on the main elevations fronting the Basin and river. A very limited number of openings may be permissible on the other elevations where they serve an essential requirement. Some limited roof lighting may be permissible on internal roof pitches. Existing loading doors and other features will remain intact. The impact of utilities including ventilation or ducting should be kept to the minimum.

OBSERVATIONS

The Masterplan identifies this building as suitable for a mixture of uses including retail on the ground floor and office space on the upper floors. It is considered that the proposed uses are compatible with the Masterplan and therefore acceptable. The principal consideration for both the planning and listed building application is the impact of the proposed development on the character and appearance of the existing building and within its location in the conservation area.

The proposed internal and external changes to the building are considered modest and sympathetic to the fabric of the building. The internal alterations are deemed to be relatively insignificant and the original open aspects of this internal space has been retained. The more significant alterations to the building which involve additional external openings are considered necessary to ensure the proper functioning of the proposed uses for example refuse stores, plant room and escape stairs have been introduced with due care given the building's listed status.

The most significant change proposed is the creation of a new entrance on the riverside frontage to serve the commercial units on the upper floors. Whilst the Masterplan does state that no new openings will be permitted on the elevations fronting the river and the canal basin, it is considered that the proposed change to the building is necessary to enable the proper functioning of the building and ensure that other areas of the internal fabric of the building remain essentially unchanged.

In conclusion, it is considered that the applications represent a Masterplan compliant proposal that has due regard for the existing fabric of the building and would enhance the character and appearance of the conservation area.

WESTERN AREA WORKING PARTY

Members were given a brief presentation of the Canal Basin applications and advised that the matter would be reported to Planning Committee. However Members did express the view that they were favourable to the proposals on initial inspection.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement requiring a financial contribution towards highways works in the area

APPROVE application 06/2494/03 subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C57 - Archaeological Recording
- 6) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) lighting;
 - (e) boundary treatment;
 - (f) refuse storage;
 - (g) hours of construction and location of site compound.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 7) No development shall commence until details of the works to be carried out in association with the adopted Canal Basin Public Realm Plan have been submitted to and approved by the Local Planning Authority and there after carried out in accordance with the approved details.

Reason: To accord with the requirements of the Public Realm Plan and in the interests of visual amenity.
- 8) No development shall commence until a wildlife survey (particularly in respect of bats) has been undertaken and submitted to the Local Planning Authority to establish the presence of wildlife within the building and identify opportunities to incorporate wildlife habitats within the buildings. Following the written approval of the survey by the Local Planning Authority the recommendations shall be undertaken in accordance with the approved details.

Reason: In the interests of improving wildlife habitats in the area.
- 9) The ground floor units shall only be used for retail (Class A1) or financial and professional services (Class A2) purposes and only one of the ground floor units hereby permitted shall be occupied by an A2 use at any one time.

Reason: To accord with the Canal Basin Masterplan and ensure the vitality and viability of the area.

APPROVE application 06/2495/07 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - i) extent of any areas to be re-pointed or re-rendered;
 - ii) new and replacement rainwater goods;
 - iii) new extract grilles and flue outlets;
 - iv) full construction details of roof glazing;
 - v) window and doors including large scale details of glazing, opening method and finish;
 - vi) new balustrades and internal balconies to be constructed in front of the inward opening shutters.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

ITEM NO.

6

COMMITTEE DATE: 19/02/2007

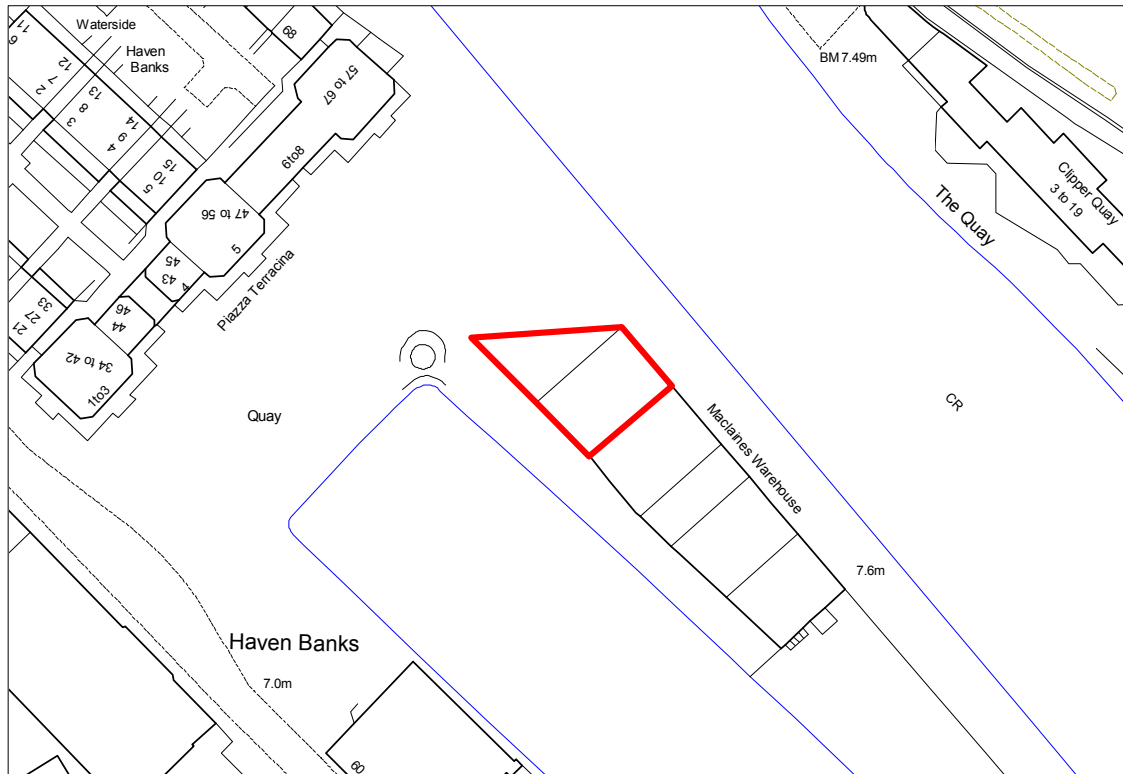
APPLICATION NO: 06/2496/03 **FULL PLANNING PERMISSION**

APPLICANT: Sutton Harbour Property & Regeneration Ltd

PROPOSAL: Three storey building to provide restaurant (Class A3) on ground floor and twelve self-contained flats on first and second floor levels and associated works

LOCATION: Site adj Maclaines Warehouse, Haven Road, Exeter, EX2 8GR

REGISTRATION DATE: 24/11/2006



Scale 1:1250

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HISTORY OF SITE

In 2002 planning applications were submitted to comprehensively redevelop the area either side of the Canal Basin. Following significant objections to the proposals principally in respect the overdevelopment, inappropriate design, poor access and loss of boat storage areas the applications were withdrawn. In response to the comments raised and to provide appropriate guidelines for future development a series of meeting were held with local residents and principal stakeholders with the aim of producing a Canal Basin Master Plan. This document was adopted in July 2004.

DESCRIPTION OF SITE/PROPOSAL

The site (0.0367 ha) is located between the Canal basin and the river and adjacent to the Maclaines Warehouse. It is proposed to erect a 3 storey detached building to provide a restaurant at ground floor occupying a floor area of approx. 186 sq metres, with 12 one bedroom flats on the first and second floors, 6 flats on each floor. The site is located within the Riverside Conservation Area.

The proposed building would occupy the roughly triangular shaped site and align with adjacent Maclaines Warehouse in respect of its relation to the Canal Basin and river's edge. A 4 metre separation is retained between the new building and the existing warehouse and this is intended to create an open pedestrian walkway.

The ground floor is dominated by the restaurant use with an open gallery kitchen and bar, with access gained from the Canal Basin side and the Piazza Terracina. Access to the flats is gained from the side walkway. In addition, the ground floor contains the commercial and residential plant rooms, refuse storage areas and the toilets to serve the restaurant.

The 6 one-bedroomed flats created on the first floor range in floor area from 35 sq metres to 42 sq metres and this is repeated on the second floor.

The building has two distinct elements which reflect the nature of the site. Alongside the existing warehouse is a rectangular traditional pitched roof providing gables to the canal side and the river. The overall ridge height is 12.5 metres, the same as the neighbouring warehouse. This element of the building uses glazing and steel supports at ground floor facing the Canal Basin and part of the walkway serving the restaurant area and uses natural stone fronting the riverside and the service areas within the walkway. The existing locally listed stone wall is incorporated into the ground floor design of the building. At first and second floor there is a continuation of the stonework with glazing to serve the residential units. The pitched roof is grey natural slate with zinc eaves detail.

The remaining element of the building occupies the triangular shaped area of the site and is connected by a glazed link running through each of the floors. For this part of the building glazing is introduced on both sides at ground floor level providing views into the restaurant. The Canal Basin frontage has a smooth rendered finish with aluminium windows and frameless glass balustrading to the proposed balcony areas. The point of the triangle forms a balcony area for the end flats, fronting onto the Canal Basin. The riverside elevation is dominated by a red cedar-clad façade which is offset from the main building and curved to reflect the boundary of the site. Within this timber screen wall windows to serve the residential units are introduced. This timber screen wall oversails the ground floor area creating a covered area from the Piazza Terracina into the main restaurant entrance. The roof is essentially flat with textured concrete paviers and a zinc capped parapet.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

To accompany both the planning and listed building applications the following reports were submitted:-

Design and Access Statement
Phase 1 Environmental Assessment
Noise Assessment Report
Flood Risk Assessment
Transport Statement
Archaeological, Historical and Conservation Study

REPRESENTATIONS

6 letters of objection received. Principal planning issues raised:-

1. Contrary to the key elements of the Canal Basin Master Plan & County Structure Plan;
2. No parking on site will lead to problems in area;
3. Increased traffic in the area leading to greater congestion
4. Design inappropriate in the area;
5. Dominate views of the existing buildings in the area;
6. Too many cafes/restaurants in the area already

CONSULTATIONS

The Director of Environment, Economy and Culture's views are awaited.

The Environment Agency raise no objection subject to the imposition of a condition regarding contamination and where possible the introduction of sustainable development measures within the resultant building.

The Head of Leisure and Museums recommends that suitable provision is incorporated into the building for swallow nesting and bat roosting.

The Head of Environmental Health considers the bin storage arrangements are acceptable and raises no objection subject to conditions regarding details of noise emissions for all fixed plant and equipment, the need for a contamination report, an acoustic integrity report and the need for extraction equipment serving food preparation areas to meet requirements set out in DEFRA guidelines for odour and noise from commercial kitchens.

The Director of Children and Young People's Services requests a financial contribution which would be used to part fund teaching accommodation at West Exe Technology College. No contributions toward primary school places is requested.

The Head of Housing requests that 25% of the dwellings on the two sites (Sites A & B) be delivered as affordable housing in accordance with the approved Local Plan. At least 85% of these units should be social rented housing and up to 15% may be shared ownership or other intermediate housing

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

- ST1 - Sustainable Development
- C06 - Quality of New Development.
- C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

- C1 - Conservation Areas
- C2 - Listed Buildings
- C5 - Archaeology
- DG1 - Objectives of Urban Design
- DG 7 - Crime Prevention and Safety.
- EN4 - Flood Risk
- KP6 - Quay/Canal Basin Area
- H1 - Housing Search Sequence
- H2 - Housing Location Priority
- H6 - Affordable Housing
- S5 - Food and Drink

A Masterplan was adopted in July 2004 which states that:-

The Site should adopt a contemporary design. The key sites A and B provide an opportunity to develop a distinctive focal point building. These buildings need not necessarily replicate each other but will have similarities in design, scale, massing and materials. The two new buildings will need to adopt a similar building line at the head of the Canal Basin but not extend beyond the head.

The Masterplan suggested that curved frontages may be used to address corner sites.

The extensive use of glazing onto main areas of public realm will create clear visual and functional links between the building and the spaces they face. Glazing, balconies, doors opening directly onto open space and activities spilling out onto public spaces will “create active” frontages. The use of pitched and sloping roofs will make a positive contribution to the townscape.

The scale of the two buildings will not dominate their listed neighbours and will be of similar height. The massing will reflect the contemporary nature of the architecture but provide good neighbours to the adjoining listed buildings. Elements of the existing locally listed wall could be incorporated into the design.

A mix of uses may be appropriate with retail café/restaurant, leisure or craft workshops on the ground floor. Residential or office accommodation may be provided above.

A minimum distance of 3 metres will be provided between the proposed building and the Maclaines Warehouse.

OBSERVATIONS

The Canal Basin Masterplan adopted in July 2004 sets out the objectives for the development opportunities for this site. The proposed uses of the building for restaurant on ground floor with residential above are wholly consistent with the master plan and accordingly are acceptable.

The principal issue relating to this proposal is whether the proposed design, scale, massing, choice of materials and overall architectural style is appropriate in this location.

In respect of the scale, massing and materials it is considered that the building fulfils the Masterplan requirements. The proposed building aligns with the neighbouring Maclaines warehouse in terms of height and distance retained to both the Canal Basin and the river. In addition the use of pitched roofs in the element of the building closest to the existing warehouse represents good continuity in design terms.

Similarly, the choice of material reflects the stone found in the adjacent warehouse but with the greater use of glazing, more commonly used in contemporary designs. The timber screen represents the most dominant element of the building and as such creates the distinctive focal point building demanded by the Masterplan. It is considered that the extensive timber screen will provide an impressive visual frontage from the river. The use of timber provides good continuity with the same material used on the opposite new build site and therefore reflects the aspirations of the Masterplan.

Accordingly it is considered that the quality of the building would enhance the character and appearance of the conservation area and provides the necessary standard against which future development within the Canal Basin should be judged.

WESTERN AREA WORKING PARTY

Members were given a brief presentation of the Canal Basin applications and advised that the matter would be reported to Planning Committee. However Members did express the view that they were favourable to the proposals on initial inspection.

RECOMMENDATION

Subject to the completion of a Section 106 regarding the provision of affordable housing, highway financial contribution and educational financial contribution.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C57 - Archaeological Recording
- 6) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) lighting;
 - (e) boundary treatment;
 - (f) refuse storage;
 - (g) hours of construction and location of site compound.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 7) No development shall commence until details of the works to be carried out in association with the adopted Canal Basin Public Realm Plan have been submitted to and approved by the Local Planning Authority and there after carried out in accordance with the approved details.
Reason: To accord with the requirements of the Public Realm Plan and in the interests of visual amenity.
- 8) The restaurant use hereby approved shall not be carried on other than between the hours of 0900 hrs and 2400 hrs.
Reason: So as not to detract from the amenities of the near-by residential property.
- 9) No buildings, plant or machinery shall be erected on the roof of the building hereby approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.

ITEM NO.

7

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2497/03 **FULL PLANNING PERMISSION**

APPLICANT:

Sutton Harbour Group Property & Regeneration Ltd

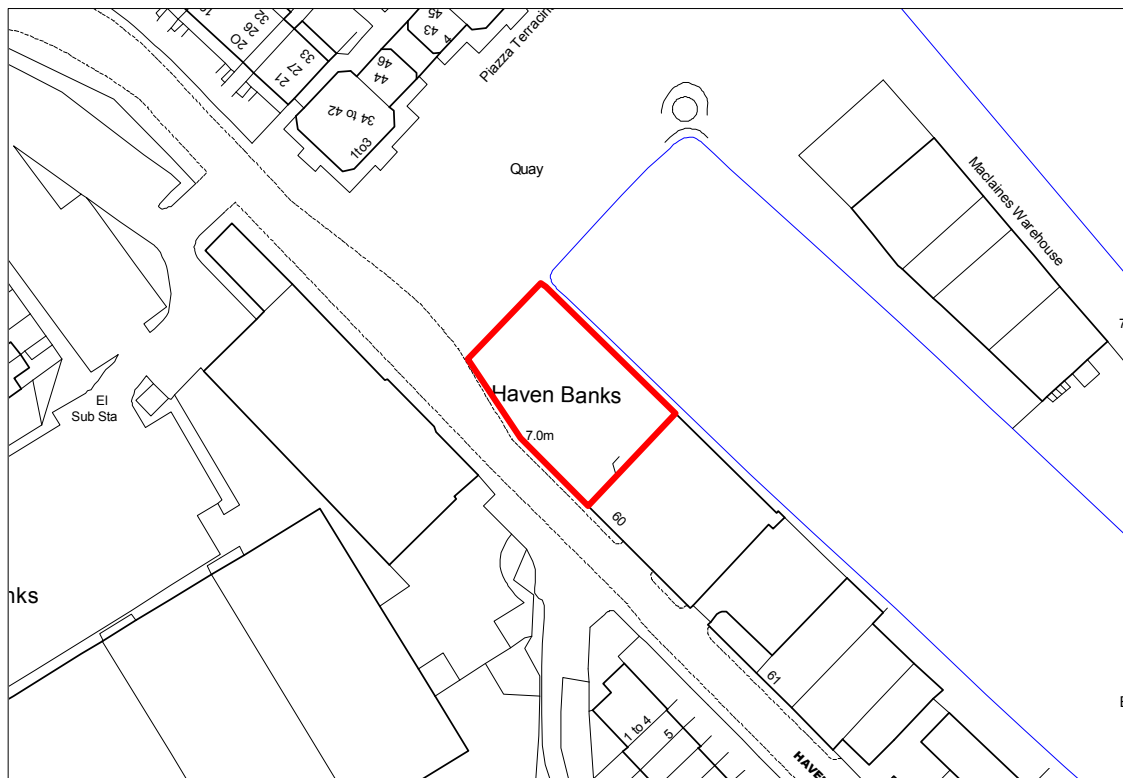
PROPOSAL:

Three storey building comprising restaurant, ancillary accommodation (Class A3), bin store, cycle racks at ground floor level, 14 self contained flats on first/second floor levels and associated works

LOCATION:

Site adj 60 Haven Road, Exeter, EX2 8DP

REGISTRATION DATE: 24/11/2006



Scale 1:1250

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HISTORY OF SITE

In 2002 planning applications were submitted to comprehensively redevelop the area either side of the Canal Basin. Following significant objections to the proposals principally in respect the overdevelopment, inappropriate design, poor access and loss of boat storage areas the applications were withdrawn. In response to the comments raised and to provide appropriate guidelines for future development a series of meeting were held with local residents and principal stakeholders with the aim of producing a Canal Basin Master Plan. This document was adopted in July 2004.

DESCRIPTION OF SITE/PROPOSAL

The site (0.0541 ha) is located on the south western side of the Canal Basin adjacent to 60 Haven Road and opposite the Old Electricity Building on Haven Road. It is proposed to erect a detached three storey building to provide a restaurant (Class A3) on ground floor and 14 residential units above (10 one bed roomed units and 4 two bed roomed units). The site lies within the Riverside Conservation Area.

The proposed ground floor of the building would be located 3 metres from the edge of the Canal Basin to provide pedestrian access although the upper floor is cantilevered over part of the area to provide a covered walkway. A gap of 4 metres is retained from 60 Haven Road to

provide a pedestrian walkway between the two buildings. The proposed building has a stepped arrangement onto Haven Road to provide a 3 metre pedestrian footway on this frontage.

The ground floor comprises a restaurant with an indicative number of 94 covers and occupies a floor area of 285 sq metres. Main access into the restaurant is gained via a stepped entrance from the Piazza Terracina. The kitchen area is located close to 60 Haven Road and the remainder of the ground floor comprises toilets, plant equipment, refuse areas for commercial and residential and an entrance lobby to serve the residential units on the upper floors.

On first floor, a total of 8 residential units are proposed, 6 No. one bed and 2 No. two bed units ranging in size from 40 sq metres to 57 sq metres floor area. On the second floor, a total of 6 flats are proposed, 4 No one bed and 2 No two bed ranging in size from 37 sq metres to 52 sq metre floor area.

The proposal building essentially follows a rectangular form with a double pitched roof with a connecting flat roof section within the valley to provide useable internal accommodation on the second floor. This flat roof section is set back within the main body of the building and therefore hidden from view. The overall height to the ridge is approximately 10.5 metres, the same as the adjacent building 60 Haven Road.

The Canal Basin elevation measures 26 metres visually broken up by the introduction of a series of 5 projecting balconies at first floor level with the final bay turning the corner to front both the Canal Basin and the Piazza Terracina. Each of these bays are reflected in the timber column supports which coupled with handrails and tension wire balustrades create an element of enclosure within the covered walkway. The ground floor is predominately glazed to serve the restaurant seating area and the residents' entrance area with the glazing rising through the first floor level at this point to follow the line of the internal stairway. However where glazing is not used, it is proposed to use a natural stone finish.

The first floor elevation uses western cedar cladding with the projecting bays finished in a standing seam zinc cladding. The pitched roofs are natural slate with zinc flashing and eaves details with strip rooflights running along the entire length of the canal side elevation and the Haven Road elevation to serve the residential accommodation. It is proposed to use sliding opening lights as opposed to pivot hinged lights to avoid visual disruption of the plan of the roof.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

To accompany both the planning and listed building applications the following reports were submitted:-

Design and Access Statement
Phase 1 Environmental Assessment
Noise Assessment Report
Flood Risk Assessment
Transport Statement
Archaeological, Historical and Conservation Study

REPRESENTATIONS

7 letters of objection received. Principal planning issues raised:-

i) the proposal does not address the current traffic congestion entering and leaving the Haven Road area of St Thomas. The scheme represents overdevelopment until a relief road is included in the proposals;

- ii) no parking provision for new residents will lead to further parking problems in the area;
- iii) design of the new building would dwarf the historic building at 60 Haven Road;
- iv) loss of views within the area will result in a sense of overdevelopment;
- v) inadequate pavements along Haven Road will not cope with the increased pedestrian usage in the area as a result of the restaurant and apartments;
- vi) enclosed walkway alongside the canal side will create a feeling of being 'boxed in'.
- vii) Contrary to key elements of the Canal Basin Master Plan & County Structure Plan;
- viii) Design inappropriate in the area;
- ix) Too many cafes/restaurants in the area already.

CONSULTATIONS

The Director of Environment, Economy and Culture's views are awaited.

The Environment Agency raise no objection subject to the imposition of a condition regarding contamination and where possible the introduction of sustainable development measures within the resultant building.

The Head of Leisure and Museums recommends that suitable provision is incorporated into the building for swallow nesting and bat roosting.

The Head of Environmental Health considers the bin storage arrangements are acceptable and raises no objection subject to conditions regarding details of noise emissions for all fixed plant and equipment, the need for a contamination report, an acoustic integrity report and the need for extraction equipment serving food preparation areas to meet requirements set out in DEFRA guidelines for odour and noise from commercial kitchens.

The Director of Children and Young People's Services requests a financial contribution which would be used to part fund teaching accommodation at West Exe Technology College. No contributions toward primary school places is requested.

The Head of Housing requests that 25% of the dwellings on the two sites (Sites A & B) be delivered as affordable housing in accordance with the approved Local Plan. At least 85% of these units should be social rented housing and up to 15% may be shared ownership or other intermediate housing.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

- ST1 - Sustainable Development
- C06 - Quality of New Development.
- C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

- C1 - Conservation Areas
- C2 - Listed Buildings
- C5 - Archaeology
- DG1 - Objectives of Urban Design
- DG 7 - Crime Prevention and Safety.
- EN4 - Flood Risk
- KP6 - Quay/Canal Basin Area
- H1 - Housing Search Sequence
- H2 - Housing Location Priority
- H6 - Affordable Housing

A Masterplan was adopted in July 2004 which states that:-

The Site should adopt a contemporary design. The key sites A and B provide an opportunity to develop a distinctive focal point building. These buildings need not necessarily replicate each other but will have similarities in design, scale, massing and materials. The two new buildings will need to adopt a similar building line at the head of the Canal Basin but not extend beyond the head.

The Masterplan suggested that curved frontages may be used to address corner sites. Through the extensive use of glazing onto main areas of public realm will create clear visual and functional links between the building and the spaces they face. Glazing, balconies, doors opening directly onto open space and activities spilling out onto public spaces will “create active” frontages. The use of pitched and sloping roofs will make a positive contribution to the townscape.

The scale of the two buildings should not dominate their listed neighbours and will be of similar height. The massing will reflect the contemporary nature of the architecture but provide good neighbours to the adjoining listed buildings. Elements of the existing locally listed wall could be incorporated into the design.

A mix of uses may be appropriate with retail café/restaurant, leisure or craft workshops on the ground floor. Residential or office accommodation may be provided above.

The building on site A should not obscure the view of the main entrance to the Electricity Building from the Piazza. The building will adopt the same building line on the Haven Road frontage as 60 Haven Road. A minimum distance of 4 metres will be provided between the proposed building and 60 Haven Road. A 3 metre wide pedestrian route will be provided adjacent to the Basin linked directly into the proposed boardwalk at the foot of Haven Road.

OBSERVATIONS

The proposed use of the site for restaurant and residential use is consistent with the adopted master plan and therefore is acceptable.

It is considered that the proposed building successfully meets the requirements set out by the Masterplan for this site. The design, scale, massing and materials reflect the existing buildings in the area in a sympathetic manner and will introduce the necessary element of contemporary design sought by the Masterplan. The introduction of significant elements of glazing at ground floor help to provide the link between the use of the building and the Piazza Terracina. It is considered that the building’s ability to provide an attractive frontage treatment of its three principal elevations, ie. the Canal Basin, Haven Road and the Piazza Terracina has been particularly successful.

The height and siting of the building is particularly important in this location because of its close relationship with 60 Haven Road and the Old Electricity Building. It is considered that continuation of the ridge height with 60 Haven Road and the alignment with the head of the Basin ensures that the new building is appropriate in this location and will not dominate views of the existing buildings in the area.

Clearly the use of the restaurant has the potential for noise and disturbance to both existing and proposed residents in the immediate area and it is therefore considered that appropriate conditions are imposed particularly in respect to opening hours and control of ventilation/extraction systems.

WESTERN AREA WORKING PARTY

Members were given a brief presentation of the Canal Basin applications and advised that the matter would be reported to Planning Committee. However Members did express the view that they were favourable to the proposals on initial inspection.

RECOMMENDATION

Subject to the completion of a Section 106 regarding the provision of affordable housing, highway financial contribution and educational financial contribution.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 November 2006 (*dwg. no(s).*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) Notwithstanding condition no.2, no work shall commence on this site under this permission until full details have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - (a) windows to include materials, means of opening, reveals, cills and headers;
 - (b) external doors;
 - (c) rainwater goods;
 - (d) lighting;
 - (e) boundary treatment;
 - (f) refuse storage;
 - (g) hours of construction and location of site compound.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 6) C57 - Archaeological Recording
- 7) No development shall commence until details of the works to be carried out in association with the adopted Canal Basin Public Realm Plan have been submitted to and approved by the Local Planning Authority and there after carried out in accordance with the approved details.
Reason: To accord with the requirements of the Public Realm Plan and in the interests of visual amenity.
- 8) The restaurant use hereby approved shall not be carried on other than between the hours of 0900 hrs and 2400 hrs.
Reason: So as not to detract from the amenities of the near-by residential properties.

ITEM NO.

8

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2679/16

**EXETER CITY COUNCIL
REGULATION 3**

APPLICANT:

Exeter City Council

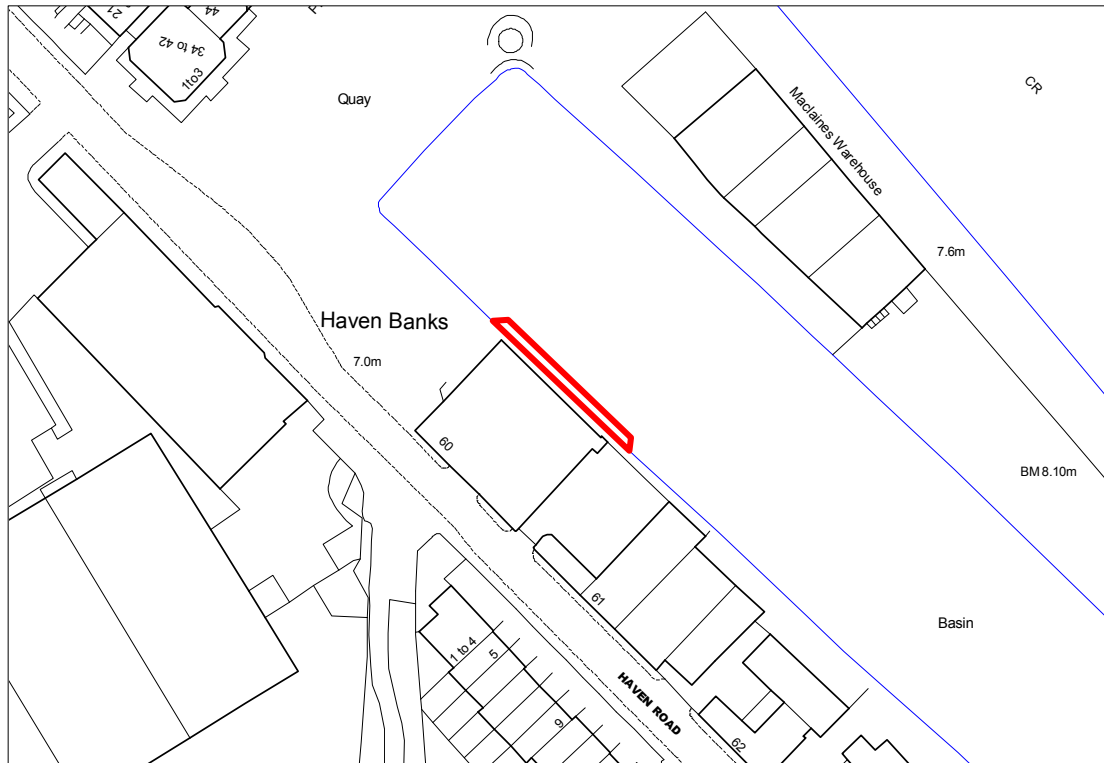
PROPOSAL:

Provision of boardwalk alongside north east elevation

LOCATION:

60 Haven Road, Exeter, EX2 8DP

REGISTRATION DATE: 03/01/2007



Scale 1:1250

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DESCRIPTION OF SITE/PROPOSAL

The application seeks to provide a boardwalk to the Canal Basin immediately in front of 60 Haven Road. The boardwalk would measure 34 metres in length and extend into the basin by 2 metres. The structure would be attached to the side canal wall via brackets and supported by galvanized steel piles which would be painted black. The hardwood decking would contain non slip inserts. The hand rail would measure 1.2 metres in height and consist of a stainless steel tubular top rail, with stainless steel posts at 1.2 metre intervals with stainless tensioned rigging wire to form the necessary enclosure inbetween. The provision of the boardwalk in this location will increase the pedestrian footway from its current level of 1 metre to 3 metres in total.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application was supported by a Design and Access Statement which highlighted the need to improve pedestrian access in the Canal Basin in line with the requirements of the Masterplan and associated Public Realm Plan.

CONSULTATIONS

The Director of Environment, Economy and Culture's views are awaited.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 - 2016

- ST1 - Sustainable Development
- C06 - Quality of New Development.
- C07 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995 - 2011

- C1 - Conservation Areas
- C2 - Listed Buildings
- DG1 - Objectives of Urban Design
- KP6 - Quay/Canal Basin Area

OBSERVATIONS

The proposed boardwalk is directly associated with the applications submitted to redevelop the Canal Basin. The adopted Masterplan highlights the need to improve pedestrian accessibility within the Canal Basin and in particular it recognises that the area in front of 60 Haven Road was inadequate to accommodate increased pedestrian movement. The proposed boardwalk meets the requirements of the Masterplan and will enable the commercial units proposed within 60 Haven Road to function unhindered by the current pedestrian frontage of only 1 metre in width. It is considered that the design of the boardwalk and associated rails reflect the maritime character of the area and will be appropriate to the character and appearance of the Conservation area. In addition, the boardwalk's unobtrusive quality would not detract from the setting of the Grade 2 listed 60 Haven Road against which the structure will be viewed.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

APPLICATION NO: 06/2533/03 **FULL PLANNING PERMISSION****APPLICANT:** Mr & Mrs Roper**PROPOSAL:** Alterations to maisonettes to provide 12 self-contained flats**LOCATION:** Flats 3-8, Cherry Gardens, Exeter, EX2**REGISTRATION DATE:** 20/12/2006

Scale 1:1250

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HISTORY OF SITE

05/0799/03 – Provision of 6 parking spaces. Land adjacent 3-8 Cherry Gardens. Approved 04/11/2005. Not implemented at present.

DESCRIPTION OF SITE/PROPOSAL

The site comprises a 4 storey detached building containing six 3 bedroom maisonettes. The building occupies an elevated position facing over a small-grassed area, parking space, a road and garages. To the side of the building lies a large hard-surfaced area formerly used for clothes drying facilities but currently unused. To the rear of the building an area of amenity land (approx. 175 sq metres in area) slopes gently up towards the rear boundary of the site.

The proposal comprises the conversion of the existing maisonettes into twelve 1 bedroom flats. Each flat would comprise lounge, kitchen, bedroom, bathroom and small storage cupboard. Access to the ground and first floor flats would be from a ground level entrance at the rear of the building. The second and third floor flats would be accessed from an existing rear platform running along the rear of the building at third floor level which previously served the upper maisonettes. This access platform is reached via the communal stairwell at the rear of the building.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by a Design and Access Statement which sets the proposal, highway and access considerations and the level of amenity space proposed in the context of the surroundings.

REPRESENTATIONS

2 Letters of representation have been received raising the following issues:-

- Possible noise disturbance
- Parking problems
- Traffic congestion arising from additional units

CONSULTATIONS

Director of Environment, Economy and Culture – states “taking into consideration the proximity to the hospital, local facilities and public transport facilities, the off-street parking facilities that were approved under permission 05/0799/03 are considered acceptable to serve the proposed use.” Recommends condition to secure provision of parking spaces prior to occupation.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001-2011

TR4 - Parking Strategy, Stands and Proposals

CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

H5 - Diversity of Housing

T10 - Car Parking Standards

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

OBSERVATIONS

The main issues in respect of this application relate to the potential impact on surrounding area/residents arising from the creation of additional dwelling units in this location. There are no additional windows or other significant external alterations to the building involved and therefore the visual impact is neutral.

There are currently no parking spaces allocated on site to the existing 6 maisonettes. Therefore, although the proposal will result in a net increase of 6 residential units on the site, the 6 parking spaces that are proposed to serve them (i.e. one /unit) would mean that the potential impact on existing parking facilities in the area would be likely to be no worse than the current situation. The proposed parking spaces are similar to the previous approval for parking facilities associated with this building that were granted in 2006. These parking spaces would be located on the former clothes drying area. The proposed level of parking provision is considered acceptable given the proximity to local facilities, recreation areas and public transport routes and the previous absence of designated parking to serve occupants of the building.

A bin store would be provided at the rear of the building behind the existing stairwell and this is considered an appropriate location in terms of access for potential residents, ensuring bins are not visually prominent and ease of access for collection.

Minor alterations to a low level retaining wall behind the building are also proposed to increase the level of amenity space available. The level of provision is well in excess of that required to comply with Local Plan policy. The space available is considered sufficient, along with existing balconies, to serve the number of units proposed.

The proposal will provide a number of smaller residential units in an existing building that is situated in a highly accessible location and is therefore considered to be consistent with objectives for sustainable development in this respect.

Overall it is considered that the proposal would be unlikely to have any significant impact upon the character of the area or amenity of surrounding residents and therefore the proposal is considered acceptable.

SOUTHERN AREA WORKING PARTY

Members noted that the Highway Authority had expressed no objection to the proposal. However concerns were expressed at the increase in number of units on site, given the existing pressure on parking facilities in the locality, and the increase in traffic using the access onto Wonford Street. Members requested that the Site Inspection Party visit the site prior to determination of the application by Committee.

SITE INSPECTION PARTY COMMENTS

Members raised no objection to the proposed conversion of 6 maisonettes to 12 one bedroomed self contained flats. It was noted that the parking for the flats had previously been approved and therefore was not a consideration for this application. Comment was raised about the need for cycle provision on site.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) Prior to the first occupation of any of the units hereby approved the off street parking facilities indicated on drawing No. 06059-04 shall be laid out and made available for use. Thereafter the said parking facilities shall be permanently retained for the use of occupants of the flats and the area of land shall not be used for any other purpose without the prior written consent of the Local Planning Authority.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

ITEM NO.

10

COMMITTEE DATE: 19/02/2007

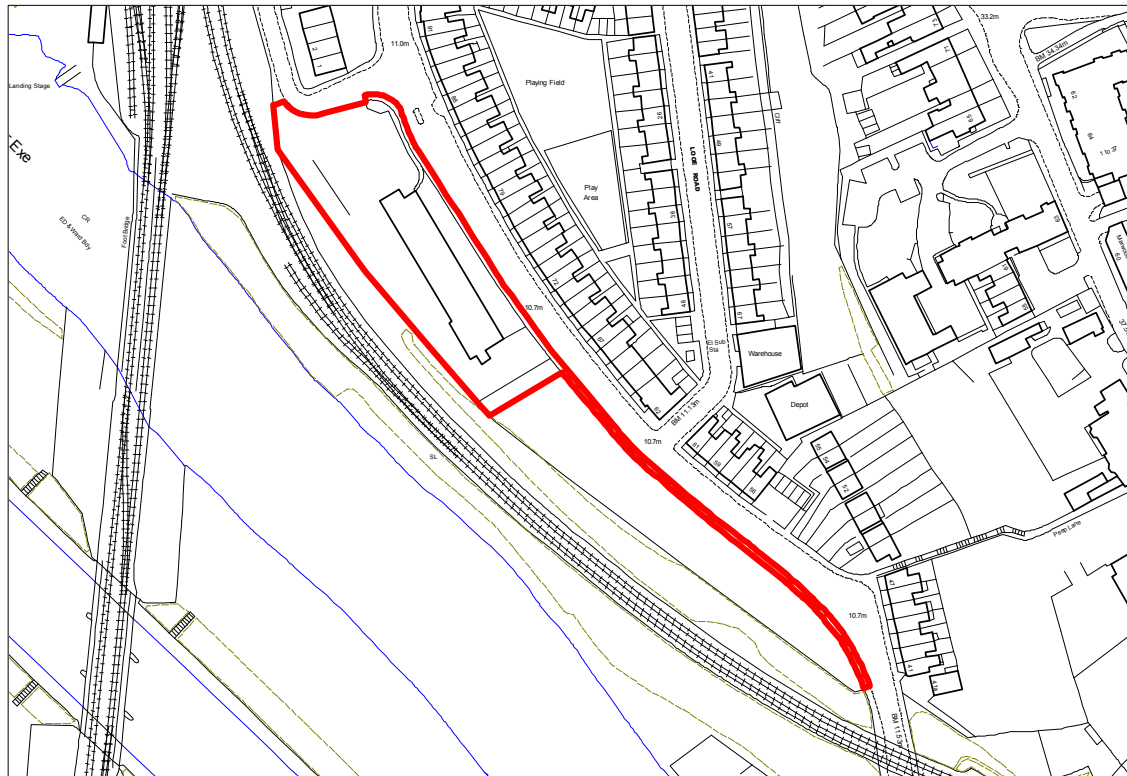
APPLICATION NO: 06/2630/02 **APPROVAL OF RESERVED MATTERS**

APPLICANT: Leighton-Boyce Properties Ltd

PROPOSAL: Redevelopment to provide 59 units for student accommodation, parking, access to highway and associated works (approval sought of reserved matters on Ref. No. 06/0255/01 granted 20 November 2006) for siting, design, landscaping and external appearance

LOCATION: Consignia Court, Brunel Close, Exeter, EX4 4BT

REGISTRATION DATE: 12/12/2006



Scale 1:2500

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HISTORY OF SITE

An application for redevelopment of this site to provide 344 single person residential units in 4/5 storey blocks, parking and associated works was refused on 2003 on grounds of overdevelopment, visual and residential amenity, loss of woodland, lack of affordable housing and flood risk. A subsequent application in 2003 for 184 single person dwellings was also refused on grounds of overdevelopment, visual and residential amenity, loss of woodland and inadequate provision for refuse storage. An outline application for redevelopment to provide a 3-storey building comprising 42 apartments was approved in 2005, and a subsequent reserved matters application for this development was approved in January 2006.

In 2006 there were two outline applications for student accommodation on the site. Both were refused and went to appeal. Members will recall that the Inspector concluded that there would not be an unacceptable change in the character of the neighbourhood or the living conditions of neighbours and accordingly the appeals were allowed.

DESCRIPTION OF SITE/PROPOSAL

This report relates to a site of 0.58 hectares comprising a disused Royal Mail Depot. It has a long frontage onto Bonhay Road. To the north is student accommodation in Brunel Close.

To the south is an area of woodland which is not within the application site. To the east and across Bonhay Road is a row of terraced housing. To the west is a railway line.

Following the granting of outline approval 06/0255/01 for 59 student flats (a total of 243 bed spaces) on appeal, reserved matters approval is sought for the siting, design, external appearance and landscaping. The proposed drawings are virtually identical to those submitted as illustrative supporting material in connection with the appeals on this site. Within the scheme it is proposed that there would be 22 one-bed flats, 3 four-bed flats, 5 five-bed flats, 19 six-bed flats and 10 seven-bed flats. One of the flats is for a warden. The layout plan shows five disabled parking spaces, four staff parking spaces, and an area for dropping off and collecting students. No parking spaces are proposed for the student occupants of the development. One cycle space per bed space is proposed. Refuse storage areas are proposed near to the site entrance and also more centrally within the site.

The proposed building takes the form of a three storey terrace fronting Bonhay Road, rising to a fourth storey on the rear elevation of this terrace. There are two additional wings projecting west from the rear elevation towards the railway line. It is proposed to face the building with coloured render and timber boarding, with a standing seam sheet metal roof.

REPRESENTATIONS

None received.

CONSULTATIONS

The Environment Agency advises that the ground contamination information submitted in order to discharge a condition of the outline permission is insufficient.

The County Director of Environment, Economy and Culture advises that from a highway view the proposal is acceptable.

The Head of Environmental Health Services advises that the proposed refuse storage provision is adequate to serve the development.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan

ST1 - Sustainable Development
CO6 -Quality of New Development

Exeter Local Plan First Review 1995-2011

H3 - Housing Sites
H5 - Diversity of Housing
H6 - Affordable Housing
H7 - Housing for Disabled People
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG4 - Residential Layout and Amenity
DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety

OBSERVATIONS

In order to accommodate the number of bed spaces allowed by the outline approval it is inevitable that a building of the size proposed is necessary. It is considered that the proposed arrangement is the best means of achieving this level of accommodation. Furthermore, the building is of a scale and form which from the street scene point of view is consistent with the earlier approval for 42 flats on the site.

As a result of discussions with the applicant, minor modifications have been made to the internal arrangement of the development and to windows to improve the amenity of occupants. Improvements have also been made to landscaping.

It is considered that a pedestrian access on the corner of Bonhay Road and Brunel Close should be provided to create more activity on the main road frontage. Whilst the County Director of Environment, Economy and Culture has concerns about highway safety problems arising from vehicles picking up and dropping off in this location, it is considered that there are significant benefits in townscape terms. The applicant has agreed to revise the scheme and further drawings are anticipated prior to the Committee meeting.

In considering the outline applications on appeal, the Inspector considered that there was no evidence to suggest that student accommodation which is managed by on-site wardens causes problems and disturbance to people living in the locality. Since this scheme incorporates warden accommodation it is considered that it accords with the Inspector's view.

The concerns raised by the Environment Agency will need to be addressed by way of the condition imposed on the outline consent by the appeal inspector.

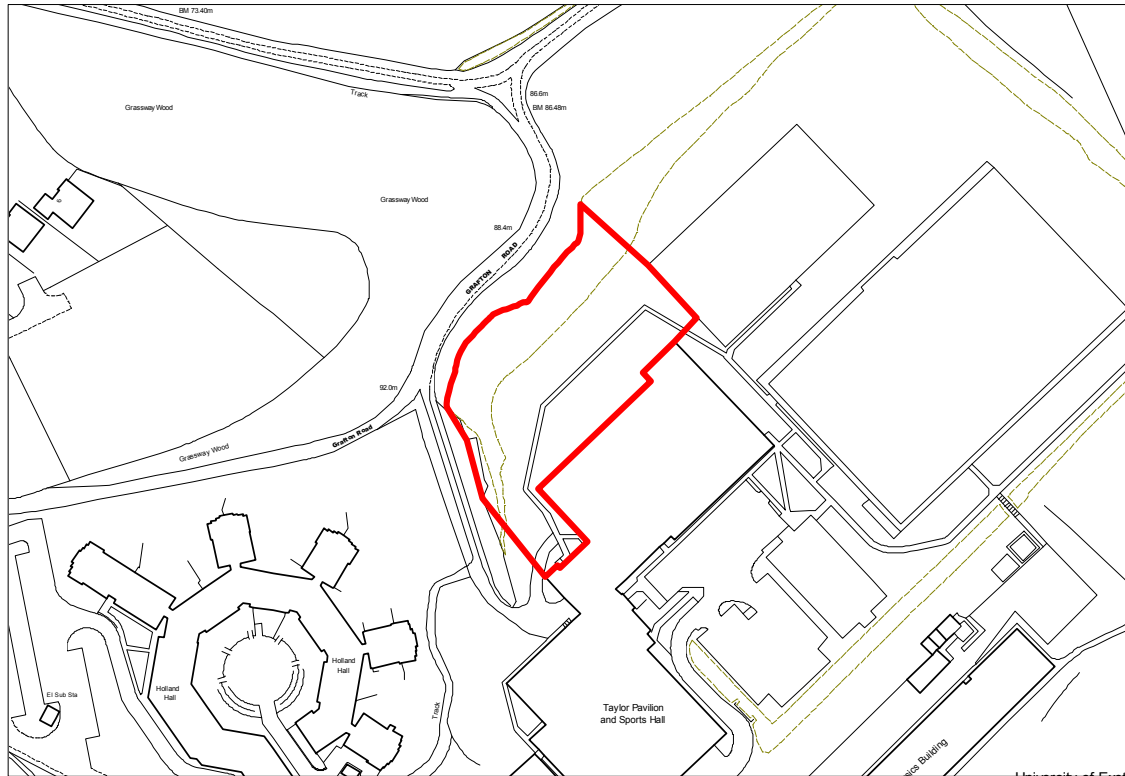
NORTHERN AREA WORKING PARTY

Members acknowledged that the application was in accordance with the outline approval. It was recognised that a large building with significant site coverage would be necessary to achieve the approved level of accommodation. They noted that the proposal would be reported to the Planning Committee.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C17 - Submission of Materials
- 2) All conditions imposed on notice of outline approval (ref no. 06/0255/01) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 3) Development shall not begin until a scheme for protecting the proposed accommodation from noise from vehicular and rail traffic has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.
Reason: In the interests of residential amenity.

APPLICATION NO: 06/2670/03 **FULL PLANNING PERMISSION****APPLICANT:** P Attwell, University of Exeter**PROPOSAL:** Two storey extension (1420 sq. m.) on north west elevation to provide indoor cricket centre, pedestrian link and ground floor extension on south west elevation and associated works**LOCATION:** University of Exeter, Tennis Centre, Stocker Road, Exeter, EX4 4QN**REGISTRATION DATE:** 15/12/2006

Scale 1:2500

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HISTORY OF SITE

95/0809/03 - Provision of Sports pitch with floodlighting (rugby practice pitch) - Approved.

98/0616/03- Replacement of existing hard-surfaced hockey/tennis courts with new hockey pitch, provision of floodlighting and associated works including new path and CC TV cameras - Approved.

99/0588/03 - Eight cluster floodlight poles (15 metre high) to replace existing for existing sports ground - Approved.

00/0485/03 - Sports pitch and practice area, 8 No floodlights (15 metre high), fencing and associated works - Approved.

03/0396/03 - Development to provide indoor tennis centre together with 4 floodlit outdoor courts, alterations to form link and lobby to existing buildings, car parking, improved access for pedestrians and vehicles and associated works (amendment to approval ref. 02/0341/03) - Approved

04/0092/03 - Alterations to sports pitch to include shelter/store, 8 floodlighting columns (16 metres high) and perimeter fencing (up to 6 metres maximum height) - Approved

05/1533/03 - Two outdoor tennis courts with floodlighting - Approved

06/2350/03 - Two outdoor tennis courts with floodlighting (amendment to 05/1533/03) - Approved.

DESCRIPTION OF SITE/PROPOSAL

The site is located immediately to the north west of the indoor tennis centre which forms part of the university sports hall complex. It is level and located at the top of the southern escarpment of the Duryard Valley. This escarpment is densely wooded with a mix of deciduous and coniferous tree species. The site is located within a Site of Local Interest for Nature Conservation, (a site important for its habitat at a local scale), a Historic Park and Garden and within the area designated as University Campus within the Local Plan. The site is also immediately adjacent to a Site of Nature Conservation Importance (a site of biodiversity value of at least city-wide significance).

Full planning consent is sought for an extension to the north west elevation of the existing indoor tennis centre for use as an indoor cricket practice facility. The extension is in a similar style to that of the existing tennis centre, with a mono-pitch roof rising from a height of approximately 5.4 metres at its junction with the existing tennis centre to 11.75 metres at its highest point. The extension is proposed to be 53 metres in length and 19 metres wide. A mix of external material finishes is proposed, including metal cladding, brickwork and glazing. The cricket centre will be accessed by a new corridor linking through to the sports centre cafe and reception area.

Lighting bollards are proposed to provide external illumination to the realigned path. The existing path is currently illuminated in this way.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Existing and proposed plan and elevational drawings.

Design and Access Statement

Tree Survey and Arboricultural Constraints Plan

REPRESENTATIONS

3 objections including Exeter Urban Wildlife Group and the Argyll Road Residents' Association. Concerns raised are as follows:

- The impact on wildlife habitat due to a reduction in the link between the Hoopern and Duryard Valley Parks.
- The undesirability of the incremental expansion of sports facilities on the university campus and the impact this has upon the amenity of residents in Argyll Road (to the north of the Duryard Valley) in terms of noise, light pollution and visual intrusiveness.

1 letter of support - Sport England - The proposal is in accordance with their Planning Policy Objective 10, which aims to "support the development of new facilities".

CONSULTATIONS

County Director of Environment, Economy and Culture - Highways - No objection

Devon Wildlife Trust and Natural England have been notified of the application but have not responded to date.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016
Exeter Local Plan First Review 1995-2011

- C06 - Quality of New Development
- CO10 - Protection of Nature Conservation Sites and Species
- TR10 - Strategic Road Network and Roadside Service Areas
- DG1 - Objectives of Urban Design
- E4 - Exeter University Campus
- LS4 - Local Nature Conservation Designation/RIGS
- L8 - Indoor Sports Facilities

OBSERVATIONS

Design

The proposed cricket centre is well designed and will relate well to the existing building to which it would be attached. The height and massing of the proposal will not dominate the existing building.

The proposal will not be visually intrusive within its context. The densely wooded escarpment to the north provides a good level of screening, even during winter months. The existing tennis centre is not easily visible behind the trees and the proposal, despite its height, will not appear visually obtrusive within the landscape and will not significantly alter the apparent level of development on the campus.

Amenity of residents

The closest dwelling in Argyll Road is approximately 600 metres from the site. Properties in High Croft and Copplesone Drive are around 160 metres distant at the closest point, but are lower and well screened by trees. All residential property to the north of the site, either within or beyond the Duryard Valley will be well screened by the vegetation on the escarpment. The tallest trees are approximately the same height as the highest point of the proposed extension. Number 59 Argyll Road, the closest property in Argyll Road to the application site, is approximately 90 metres above mean sea level, compared to an approximate height of the application site of 110 metres. The angle of view from the lower end of Argyll Road will therefore ensure that the top of the proposed building will appear below the top of the vegetation on the escarpment.

The high level windows will emit some light from within the building but this will not be harmful and will be diffused by the vegetation. The bollard lamps proposed will have no effect upon residential amenity.

Historic Park & Garden, and Site of Local Interest for Nature Conservation

The area to be developed is currently grassed. The existing sports hall and tennis centre provide a physical barrier between the Hoopern and Duryard Valleys. Any wildlife corridor that may have existed has already been disrupted. The extension of the building is unlikely to worsen this situation. There is unlikely to be additional disturbance from pedestrians as the main route into the extension will be by a fully enclosed link corridor from the existing reception area. There are no floodlights proposed externally to affect wildlife.

The character and appearance of the Historic Park and Garden is unlikely to be significantly altered by this proposal. As an extension to the rear of an existing large building, the proposal will not be easily visible from within the park area. The immediate area is already built upon and the extension will appear as part of this existing area of development.

Trees

The trees to the north of the site on the escarpment at the edge of the Duryard Valley are important for several reasons: As a wildlife habitat, for their visual amenity value, as a visual screen to the proposed development and for their contribution to air quality. It is therefore essential that this area of vegetation is not harmed by the proposed development. The trees are not currently protected by a Tree Preservation Order, however this does not reduce their importance. The tree constraints plan submitted with the application demonstrates that the trees can be adequately protected during construction in accordance with British Standard 5837:2005.

Sporting facilities

Policy L8 allows for new indoor facilities at sites such as the university. The proposals do not harm local amenity as outlined above. The Local Highway Authority is satisfied that it is suitably accessible by public transport and private car. In accordance with the policy, the proposal is associated with existing major recreation facilities and is associated with an existing education site. The requirements of the policy would appear to be satisfied by this proposal.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990 (as amended).
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 15 December 2006 (*floor plans and elevations*); 26 January 2007 (*Site Layout Plan 43-06-01A*) and 31 January 2007 (*Arboricultural Constraints plan 43-06-10A*) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Prior to the development hereby approved being commenced, or at such other time as may be agreed with the Local Planning Authority in writing, samples and written specifications of the materials and finishes it is intended to use externally in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The materials and finishes used in the construction of the development shall correspond with the approved samples and specifications in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 4) No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with the Arboricultural Constraints Plan received 31 January 2007 (dwg. no. 43-06-10A). These fences shall be installed in accordance with BS5837: 2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: To ensure the protection of the trees during the carrying out of the development.

5) C35 - Landscape Scheme

6) Notwithstanding Condition 2, and unless otherwise agreed in writing by the Local Planning Authority, no work shall commence on site under this permission until all details of external lighting within the application site have been submitted to, and agreed in writing by, the Local Planning Authority. No lighting shall be installed unless in accordance with the approved details.

Reason: To ensure that lighting is not installed that may harm a Site of Nature Conservation Importance and a Site of Local Interest for Nature Conservation.

ITEM NO.

12

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2672/03

FULL PLANNING PERMISSION

APPLICANT: G Bond

PROPOSAL: Change of use from nursing home (Class C2) to dwelling (Class C3) and alterations to garden room to provide glazed roof and doors on north, east and west elevations

LOCATION: 100 Pennsylvania Road, Exeter, EX4 6DQ

REGISTRATION DATE: 12/01/2007



Scale 1:1250

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HISTORY OF SITE

03/85/0781 - Change of use to residential home for the elderly

07/85/1039 - Alterations required in association with use of property as residential home for the elderly

87/0609/03 and 87/0610/07 - Single storey extension approved

92/0122/03 and 92/0123/07 - First floor side and rear extension approved

02/1200/03 Subdivision of existing house to two self-contained dwellings (refused and appeal dismissed).

DESCRIPTION OF SITE/PROPOSAL

The site is located to the north of the city centre approximately seventy metres to the north of the junction of Pennsylvania Road and Union Road/Prince of Wales Road. The building is Grade II Listed and was constructed c.1850. The building is detached and set back from the road. It is finished in white-painted stucco with a slate roof. The lawful use of the building is a nursing home, although it would appear that it is currently in use as a House in Multiple Occupation.

Full Planning Consent is sought for the change of use of the nursing home to a single dwelling. Consent is also sought for alterations to form a garden room with a glazed roof,

replacing an existing slate roof. New double doors are also proposed to the north, east and west elevations of this garden room.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Plans, elevations and design and access statement.

REPRESENTATIONS

None

CONSULTATIONS

None

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016
Exeter Local Plan First Review 1995-2011

CO6 - Quality of New Development
CO7 - Historic Settlements and Buildings
C2 - Listed Buildings
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity

OBSERVATIONS

The use of this building as a single dwelling will be a return to its original use and as such will not harm its character. The current application for Listed Building Consent (06/2673/07) demonstrates that the changes proposed will return the building to a more domestic, less institutional character.

There is sufficient space around the building to allow for off-street car parking and the use of the vehicle access could be expected to be less intensive than would be the case with a nursing home. In addition there is sufficient land to provide good quality, private amenity areas to serve the occupants of the proposed dwelling.

The proposed alterations to the garden room roof and the addition of new doorways will not harm the amenity of neighbours. The physical changes proposed are the subject of a separate Listed Building Consent application and will not harm the character or appearance of the building.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 15 December 2006 (*dwg. nos. 0605/3 and 0605/4*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

ITEM NO.

13

COMMITTEE DATE: 19/02/2007

APPLICATION NO: 06/2673/07

LISTED BUILDING CONSENT

APPLICANT: G Bond

PROPOSAL: External alterations to roof and walls, demolition of out-house and internal alterations to walls and doors

LOCATION: 100 Pennsylvania Road, Exeter, EX4 6DQ

REGISTRATION DATE: 15/12/2006



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HISTORY OF SITE

03/85/0781 - Change of use to residential home for the elderly

07/85/1039 - Alterations required in association with use of property as residential home for the elderly

87/0609/03 and 87/0610/07 - Single storey extension approved

92/0122/03 and 92/0123/07 - First floor side and rear extension approved

02/1200/03 Subdivision of existing house to two self-contained dwellings (refused due to unsympathetic structural alterations required in the conversion, a poor relationship with parking areas and a poor level of amenity for occupants due to a lack of privacy between the two units. A subsequent appeal was dismissed).

DESCRIPTION OF SITE/PROPOSAL

The site is located to the north of the city centre approximately seventy metres to the north of the junction of Pennsylvania Road and Union Road/Prince of Wales Road. The building is Grade II Listed and was constructed c.1850. The building is detached and set back from the road. It is finished in white-painted stucco with a slate roof. The works proposed are in association with an application for Full Planning Permission to change the use of the building to a single dwelling. Listed Building consent is sought for demolition of a non-original single-storey utility room on the north side of the building to form an enlarged courtyard and removal of an internal lift-shaft which was installed to serve the nursing home. Consent is also sought to remove an internal partition wall on the first floor to form an enlarged bedroom

in place of two existing bedrooms. Internal partitions are also proposed to be removed on the ground floor to the east end of the building to replace nursing home bedrooms with a garden room.

Various repairs are proposed to windows and exterior doors, render, damaged cornices and roof insulation. Services and sanitary facilities are to be upgraded.

Other alterations to the building involve, the widening of internal openings between the kitchen and dining room, the provision of a larger cloakroom within the existing lift-shaft area. A new double doorway is proposed between the proposed family room and garden room. It is proposed to replace existing slate roof over the proposed garden room with a fully glazed roof supported with softwood rafters with the same profile as the existing roof. A new opening with a French door is proposed in the north elevation of the garden room. The existing doorway in the east elevation of the garden room is proposed to be widened and french doors installed. The applicant states that all windows and doors will be painted timber.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Floor plans, elevations and design and access statement.

REPRESENTATIONS

None

CONSULTATIONS

Amenity Societies - No responses to date.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016
Exeter Local Plan First Review 1995-2011

CO6 - Quality of New Development
CO7 - Historic Settlements and Buildings
DG1 - Objectives of Urban Design
C2 - Listed Buildings

OBSERVATIONS

It is acknowledged that these proposals are extensive, but they are designed to restore the property to a single dwelling. The eastern wing is a later addition to the original building and is the subject of the majority of the alterations. It is considered that these alterations will not harm the character of the building. The removal of the utility room will result in an enlarged rear courtyard, which is currently cramped and potentially damp. The alterations will provide a more pleasant setting for the building and improve conditions for its occupants. The proposed enlarged first floor bedroom will not be a return to an original floor plan, however it is a more suitable layout than existing and it is considered that the alterations will not be detrimental to the overall plan.

The proposed replacement of a slate roof with a glazed roof over the garden room is in a non-original part of the building and as such will not harm the historic fabric. The design is sensitive to its context and will not harm the character or appearance of the building.

The proposed repairs and replacement doors, windows and other joinery are sensitive to the character of the building.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 15 December 2006 (*dwg. nos. 0605/3, 0605/4 and 0605/8*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Prior to the development hereby approved being commenced, or at such other time as may be agreed with the Local Planning Authority in writing, samples and written specifications of the materials and finishes it is intended to use externally in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The materials and finishes used in the construction of the development shall correspond with the approved samples and specifications in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.

APPLICATION NO: 06/2708/03 **FULL PLANNING PERMISSION****APPLICANT:** Mr & Mrs B Gill**PROPOSAL:** Two storey side and ground floor rear extension**LOCATION:** 41 Attwyll Avenue, Exeter, EX2 5HW**REGISTRATION DATE:** 19/12/2006

Scale 1:1250

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HISTORY OF SITE

No history.

DESCRIPTION OF SITE/PROPOSAL

Two storey semi-detached dwelling close to the junction between Attwyll Avenue and Hoker Road. This application is for a two storey side extension and ground floor rear extension.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

None received.

REPRESENTATIONS

None received.

CONSULTATIONS

South West Water has no objections provided that foul drainage only is connected to the public foul or combined sewer and that no development is built within 3 metres of the public sewer without its express consent.

The Environment Agency has also drawn attention to drainage matters.

The Director of Environment, Economy and Culture has objected to the proposal. The proposed hardstanding would be only 4 metres in length, which is considered inadequate to accommodate the majority of private motor vehicles. Therefore, the use of this hardstanding is likely to result in vehicles parking over the footway of the adjacent highway, creating an obstruction to the detriment of highway safety.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016

CO6 - Quality of New Development
TR10 - Strategic Road Network and Roadside Areas

Exeter Local Plan First Review 1995-2011

DG1 - Objectives of Urban Design

A Design Guide for Extending Your Home

OBSERVATIONS

Policy DG1 of the Exeter Local Plan First Review 1995-2011 sets out a number of general design principles which the Local Planning Authority takes into consideration when assessing development proposals. With regard to domestic extensions, the policy essentially seeks to ensure that the development, in terms of its height, volume, massing and design, is compatible with the existing character and appearance of the dwelling and the residential locality. Typically, the Local Planning Authority would seek a two storey side extension that is set back from the front building line of the dwelling and set down from the roof ridge. This ensures that the extension is clearly subservient to, and not competing with, the original dwelling house and that the effect of the increased massing is reduced and does not result in a building which is unduly large or prominent within the street scene.

The Council's Supplementary Planning Guidance, 'A Design Guide for Extending Your Home', recognises that side extensions can have a big impact on the appearance of the house and the street. In order to avoid terracing of detached and semi-detached properties, it advises that extensions should be set back from the front building line of the dwelling and kept within 1 metre from the boundary.

The applicant's agent has been asked to consider amending the plans so that they accord with the above advice. He has, however, declined arguing that the extension will be only 2 metres in width on an end of row property where terracing is not a matter for concern. He adds that a drop in the ridge line of the extension would not relate well to the existing dwelling and create an unbalanced appearance.

It is acknowledged that this property is at the end of a row of semi-detached dwellings and is adjacent to a fairly open corner plot at the junction between Attwyll Avenue and Hoker Road. The proposal is therefore, if approved, not likely to create a terracing effect within the street scene. However, in approving this extension without a set back, and a set down from the roof ridge, the Local Planning Authority would set a precedent for other similar extensions in the street, which would create a terracing effect and therefore alter the character of the area. A proposal for a side extension at No. 39 Attwyll Avenue would be particularly problematic as an extension which is set back and set down, in order to avoid a terracing effect, would create an imbalance in the appearance of this particular pair of semi-detached dwellings.

The Director of Environment, Economy and Culture has objected to the proposal because the length of the proposed hardstanding, 4 metres, would be inadequate to accommodate the majority of private motor vehicles. Consequently, vehicles would be likely to park over the footway of the adjacent highway, which would be detrimental to highway safety. The Director adds, however, that the objection can be overcome if the hardstanding is amended to a minimum length of 4.8 metres. A side extension which is set back from the front building line of the dwelling would therefore address this objection.

In terms of the impact of the extension on the residential amenities of neighbouring occupiers, it is noted that there is unlikely to be any significant cause for concern. Three windows are proposed on the side elevation, two of which would be bathroom windows and therefore obscure glazed. The landing window could result in some overlooking into the neighbouring garden but the applicant's architect has argued that its height from the floor level will prevent this being a problem. Were the application considered acceptable, the Local Planning Authority would normally consider a condition to ensure obscure glazing was used on windows where there were concerns about loss of privacy. The ground floor rear extension is over 3 metres from the boundary with No. 39 Attwyll Avenue and therefore acceptable.

In conclusion, it is considered that this application should be refused because the extension would compete with, rather than be subservient to, the character and appearance of the original dwelling house and unduly increase its overall massing within the street scene. It would also set a precedent for other similar extensions in the street, which, in creating a terracing effect, would alter the character and appearance of the area.

RECOMMENDATION

REFUSE for the following reasons:

- 1) The proposal is contrary to Policy CO6 of the Devon Structure Plan, Policy DG1 of the Exeter Local Plan First Review 1995-2011 and Supplementary Planning Guidance 'A Design Guide for Extending Your Home' because:-
 - i) by virtue of its height, massing and design, the proposed two storey side extension would result in an unsympathetic form of development which competes with, rather than being subservient to, the character and appearance of the dwelling, thereby unduly increasing its overall prominence within the street scene; and
 - ii) it would create an undesirable precedent for similar development which, individually and/or collectively, would detract from the character and appearance of the area.
- 2) The use of the proposed hardstanding is likely to create an obstruction of the footway of the adjacent highway, contrary to Policy TR10 of the Devon Structure Plan 2001 to 2016.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

EXETER CITY COUNCIL

PLANNING COMMITTEE

19 FEBRUARY 2007

SECTION 106 AGREEMENTS

1.0 PURPOSE OF REPORT

- 1.1 To report on progress with the implementation of outstanding Section 106 Agreements and on expenditure of the contributions received. Members are requested to advise the Development Control Manager (Andy Robbins) or Head of Planning Services (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2.0 BACKGROUND

- 2.1 This report has been prepared to advise Members on progress with the collection and expenditure of contributions made by developers towards the provision of the facilities and services necessary for development. It covers the period July-December 2006.
- 2.2 The report covers all outstanding agreements arising from development proposals in the City requiring financial payments by developers.
- 2.3 Agreements and progress in relation to them are summarised in the attached tables under subject headings and stage of payment (either due or received). Included are requirements where payment has not yet been triggered by the agreed stage in the development process.
- 2.4 It should be noted that funds held for maintenance of public open space are paid directly into a special account. A sum of 5 % of the accumulated total (including interest) is incorporated in to the Parks and Open Space Manager's budget each year.

3.0 PERFORMANCE

- 3.1 A total of £243,698.68 has been spent since July. The largest contribution spent was for public transport facilities to Sainsburys in Pinhoe of £74,000.00.
- 3.2 The £34,213.80 education contribution from the residential development at Richmond Yard has now been spent at St Leonards primary school.
- 3.3 In the same period £14,920.78 was received for the maintenance of open spaces at Clapper Brook Lane and Pynes Hill and has been transferred to the grounds maintenance account.

3.4 Highway works to the value of £50,000.00 were carried out offsite by Exeter Housing Association, in connection with the Summerway School site planning obligation, in lieu of the contribution due for traffic calming in the vicinity of the site.

4.0 UPDATE

4.1 For the first time, a table is included (to the rear of the report) giving details of progress with the provision of community facilities required by section 106 agreements. In October 2005, a group of officers was established with the Planning Solicitor as Chair, to monitor the performance of developers in providing such facilities. This has assisted officers in ensuring that recently signed agreements (such as those for Wyvern Barracks and Richmond Yard) are being complied with, as well as identifying earlier developments where facilities have not been provided on time. This resulted in notes being included on local search responses to prevent the sale of final batches of properties at Medley Court, Exwick (now released) and Kings Heath, Digby, until the facilities have been completed. The group of officers is also working to secure compliance with planning obligations on a number of other sites.

5.0 PLANNING MEMBER WORKING GROUP

5.1 A number of amendments to the schedules have been made following consideration by Planning Member Working Group on 6 February 2007.

6.0 RECOMMENDATION

6.1 That members note the report.

RICHARD SHORT
HEAD OF PLANNING SERVICES

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:
None

Index of tables within Section 106 Agreements Report

S106 Affordable Housing- Money Expected

S106 Affordable Housing- Money Received

S106 Car Parking- Money Expected

S106 Car Parking- Money Received

S106 Community and Leisure- Money Expected

S106 Community and Leisure- Money Received

S106 Education- Money Expected

S106 Education- Money Received

S106 Environmental Enhancement- Money Expected

S106 Environmental Enhancement- Money Received

S106 Open Space- Money Expected

S106 Open Space- Money Received

S106 Social Services- Money Expected

S106 Transport- Money Expected

S106 Transport- Money Received

Summary of contributions received/spent July-December 2006

Sites being monitored by the community facilities implementation group

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Planning App no	Site	Developer	Requirement	Amount	Amount Outstanding	Index	Due when	Site status	Notes	Money received	Money spent
01/1305/03	Elmfield Nurseries, New North Road	Cavanna Homes	Affordable housing in Exeter. To be spent within 5 years of receipt	£86,000.00	£86,000.00	RPI	Upon commencement of development	Not commenced	Not yet due. Unlikely to come forward as site now has planning permission for student housing.	NO	NO
99/1022/03	Army Cadet Force Site, Barrack Road	Abbey Manor Developments	Affordable housing if not provided on site. To be spent within 5 years of receipt.	£64,842.00	£136,021.00		£71,179.00		Residue of £64,842 to part finance 2 move-on bedspaces at Prospect Place - money has yet to be requested from us by the HA.	YES	NO
01/1518/03	Lazy Landlord, Bonhay Road	Redrow Homes	Affordable housing in Exeter.	£20,267.00	£300,267.00		£280,000.00		The residue of £20,267 to part finance 2 move-on bed spaces at Prospect Place - money has yet to be requested by the HA. (£12,172) (completed June 2005) and 2 bedspaces at Headland Crescent (£8,095) (Completed June 2005).	YES	NO
02/1845/03	Central Station Yard, Queen St- Isca Place	Bellway Homes Ltd	Contribution towards affordable housing in Exeter. ECC has option to index it according to the average sale price of a terraced house in Exeter according to Land Registry data. Repayable if uncommitted within 5 years.	£751,783.00	£633,000.00		£0.00	BCIS	£495,000 allocated as joint funding to provide 52 homes (49 rent and 3 shared ownership) off site; balance of £55,641 on part funding for 2 move-on homes at Headland Crescent (Completed June 2005) - money has yet to be requested from us by the HA. Residue of £201,142 to be allocated to various developments on Council owned land if approved by executive.	YES	NO

Planning App no	Site	Developer	Requirement	Amount	Amount Outstanding	Index	Due when	Site status	Notes	Money received	Money spent
04/18/14/03	7 Tudor Street	Gadd Homes Ltd	Make arrangements for preferential car hire facility with Avis. Delivery charges limited to £5 each way, increased by RPI + 1%. Arrange scheme with another provider in default. Pay £3000 in connection with facility, index linked.	£3,000.00	£3,000.00	RPI	Prior to first occupation.	Commenced	Not yet due.	NO	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Index	Notes	Money received	Money spent
93/0922/03	Boobyer's Gar. Fore St, Heavitree	Orbit Housing Assn	"The provision of car parking spaces by the Council or such other works as may be directly or indirectly attributable to the development".	£11,310.00	£11,310.00		No sites for car parking identified. To be used for Heavitree enhancements. Work to commence 2007/2008.	YES	NO
98/0849/03	Eveleighs Garage, Sidwell St	Westrock	Improving parking facilities in the City Centre	£7,650.00	£7,650.00		Recently received following reference to Legal Services.	YES	NO

Planning App no	Site	Developer	Requirement	Amount	Amount Outstanding	Index	Due when	Site status	Notes	Money received	Money spent
99/0442/01	P.E.O.H Barrack Rd	S.O.S For Health	Community facility to benefit owners and occupiers of the site	£15,000.00	£15,000.00	RPI	After 50% dwellings completed if ECC agree facility need not be provided on site	Completed	Contribution has been chased. Agreed to be used to enhance the forthcoming 'Wygern Park' facilities.	NO	NO

02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Provide community land, at least 1500 sq m. Carry out remediation with collateral warranties. Offer to ECC within 3 months after commencement, also offer to construct community building, if building not accepted, pay £500,000 in lieu.	(£500,000.00 -see over)	(£500,000.00 -see over)	RPI	Complete prior to occupation of more than 100 open market dwellings	Outline permission	Not yet due.	NO	NO
03/1611/01	County Ground	Exeter Rugby Group Ltd	Pay £300 per dwelling towards community facilities in a recreation ground serving the locality. Indexed from date of agreement until payment.	To be calculated	To be calculated	RPI	Prior to commencement of development.	Outline permission	Not yet due. Likely to be used to enhance play/teen facilities at St Thomas PG or Cowick Barton PF.	NO	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent
00/1015/01	Kinnerton Way-Lavender Road, Exwick	Barratt Homes Ltd	Provision of community facilities within the vicinity of the site	£16,633.00	£15,000.00	£0.00		Paid October 2002. To be used in connection with provision of new community facilities now completed and handed over to the Community Association.	YES	NO
03/0300/03	Land at Plymco, Kinnerton Way-Medley Court	Westbury Homes	"...provide or support the provision of community facilities and services in the Exwick area of Exeter"	£75,398.00	£72,000.00	£0.00		Agreement applied to Westbury by supplemental agreement dated 21 July 2003. To be used in connection with provision of new community facilities now completed and handed over to the Community Association.	YES	NO
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"provision of community facilities within 1 mile of the site " if no facility on site made available.	£21,557.00	£20,000.00	£0.00	RPI	To be used to enhance the play facilities and MUGA to be provided at the new Summerway Park	YES	NO

Planning App no	Site	Developer	Requirement	Amount	Index	Due when	Site status	Notes	Money received	Money spent
02/0381/01	Matworthy	MM and JM Macan	Pay £904.09 per dwelling towards facilities likely to be used by children living on the site. Index linked from agreement until payment. Repayable if unspent within 5 years of payment.	To be calculated	RPI	On commencement of development.	Outline permission	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	"...the provision of secondary educational facilities which are likely to be used by secondary school children residing on the property"	£348,459.00	RPI	On commencement of development	Outline permission	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Carry out remediation of land for school with collateral warranties, and offer to DCC. Pay contribution towards provision of primary educational facilities including the rebuilding of a primary school within a two mile radius from the property and, if app	£803,581.00	RPI	Pay prior to occupation of the 150th dwelling, offer land on commencement of 201st.	Outline permission	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Pay contribution towards the construction costs of the primary school on the site or if it is not to be built for the provision of primary educational facilities including the rebuilding of an existing primary school within a two mile radius of the site.	£502,239.00	RPI	On letting of contract.	Outline permission	Not yet due	NO	NO
03/0871/01	Land adj 7 Alice Templer Close	C G Fry & Son Ltd	Pay £452.04 per dwelling towards teaching accommodation. Index linked from agreement until payment according to RPI. Repayable if unspent within 10 years of payment.	£6,260.80	RPI	Prior to commencement of development.	Commenced	Invoice raised Dec 06 for £6260.80 inc RPI.	NO	NO

03/1611/01	County Ground	Exeter Rugby Group Ltd	Pay £1122.50 per dwelling with 2+ bedrooms. Indexed from date of agreement until payment. Repayable if unspent within 5 years of payment.	To be calculated	RPI	50% to be paid on commencement of development. Balance to be paid on earlier of occupation of 45% of open market dwellings or two years after commencement.	Outline permission	Not yet due. By a supplemental agreement dated 11 July 2006, the supported retirement apartments are exempted from the requirement to pay an education contribution.	NO	NO
04/1814/03	7 Tudor Street	Gadd Homes Ltd	Pay £578.75 per dwelling of 2+ bedrooms for schools to serve the development. Index linked. Repayable if unspent within 5 years.	£8,430.70	RPI	On first occupation or by 24/8/06 if earlier.	Commenced	Invoice raised Dec 06 for £8430.70 inc RPI.	NO	NO
04/1942/01	Brunel Close	Leighton-Boyce Properties Ltd	Pay £578.25 per dwelling of 2+ bedrooms, but only for the 25th and subsequent dwellings, towards primary facilities. Indexed from date of agreement until payment. Repay if unspent within 10 years of payment.	£10,417.50	BCIS	Prior to commencement of development.	Outline permission	Not yet due. Unlikely to come forward as site has a subsequent planning consent for student housing.	NO	NO
05/0540/03	Former service station, Western Way	L R Petrol Stations Ltd	Pay contribution towards provision of additional educational facilities required as a result of the development. Repayable if unspent within 10 years of payment.	£11,575.00	BCIS	Prior to commencement	Not yet commenced	Not yet due.	NO	NO
05/0667/01	91-97 Wonford Street	Exeter City Council	Pay £1157.50 per dwelling of two or more bedrooms, minus two dwellings (to be demolished). Indexed from date of agreement until payment. Repay if unspent within 10 years of payment.	To be calculated	BCIS	Prior to commencement of development.	No detailed permission.	Not yet due.	NO	NO

05/0808/03	Rowe Memorial Hall	The Trustees for Methodist Church Purposes	Pay contribution for the provision of additional primary education accommodation at St David's Primary School. Index linked from date of agreement until payment.-	£6,945.00	BCIS	On commencement of the development	Not yet commenced	Not yet due.	NO	NO
05/1277/01	58 Main Road, Pinhoe	A and CM Davis	Pay contribution of £694.50 per dwelling of two or more bedrooms to DCC towards the provision of additional educational facilities required as a result of the development.	TBC	BCIS	Prior to commencement	Outline permission	Not yet due.	NO	NO
05/1408/03	Barley House, Isleworth Road	A F Lampo	Pay contribution towards the provision of additional educational facilities required as a result of the Development.	£6,250.00	BCIS	Prior to commencement	Commenced	DCC to request contribution.	NO	NO
05/1633/03	Old Mill and Old Stables, Tudor Street	Sprague and Ouseley	Pay contribution towards educational facilities required as a result of the development.	£4,630.00	BCIS	On first occupation	Commenced	Not yet due.	NO	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent
98/1090/01	St James Rd/Old Tiverton Road	Exeter Housing Assn	Improvement of facilities likely to be used by children living on the site by 01/03/07	£0.00	£6,242.00			Money paid to the Diocese. Used towards the new school project.	YES	YES
00/1199/01	Prospect Place, St Thomas	Centre Line Properties Ltd	Education facilities which are likely to be used by children living on the site.	£5,666.00	£0.00	RPI		Payment Received 11/4/05. Committed - Will be used towards a project at Montgomery School.	YES	NO
01/1486/03	Builder's Yard, Meadow Way, Heavitree	Ward Developments Ltd	Additional pupil places in those schools likely to be attended by children living on the site. Within 10 years of receipt. (To be paid to DCC)	£6,823.34	£0.00			Committed to school re-organization project now in hand.	YES	NO

02/1845/03	Central Station Yard, Queen St. - Isca Pace	Bellway Homes	" . Education infrastructure likely to be used by children living on the site"	£0.00	£3,616.00	£3,723.25	BCIS	Shortfall of 1 place created at the Primary school.	YES	YES	YES
03/1722/03	Richmond Yard- Platform #101	George Wimpey Bristol Ltd	£34,213.80 for use in connection with schools serving the locality. Index linked.	£0.00	£34,213.80	£34,213.80	RPI	Payment recd by DCC 08/09/05. Spent at St Leonard's Primary (Exeter Re-organisation).	YES	YES	YES
03/2054/03	Roseland Drive	Heavitree Developments Ltd	£10,102.50 for primary education at Ladysmith First and Middle Schools.	£10,102.50	£10,102.50	£0.00		Payment made 13/4/04. Committed for use at Ladysmith Infants and Junior.	YES	YES	NO
04/1779/03	Land off Highcroft	Energycare Homes Ltd	Pay contribution to DCC for education.	£3,472.80	£3,472.80	£0.00		Not yet committed.	YES	YES	NO
04/2192/03	Monks Road	Persimmon Homes (South West) Ltd	Pay contribution to primary education.	£8,102.50	£8,102.50	£0.00		Committed for use at Ladysmith Infants and Junior.	YES	YES	NO
05/0815/03	27-28 Cowick Street	Westrock Ltd	Pay £1389.00 towards West Exe Technology College. For use in accordance with DCC's Code of Practice on Education Contributions.	£1,389.00	£1,389.00	£0.00		Committed but not spent.	YES	YES	NO
Planning App no	Site	Developer	Requirement	Amount	Index	Due when	Site status	Notes	Money received	Money spent	
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards siting of public art in accordance with the Public Art Strategy (less any contribution received from Cheeke St development).	£70,000.00	RPI	Before start of development	Commenced.	Developer is providing public art in excess of amount within agreement therefore this contribution will be not requested. To be directly commissioned by Land Securities after agreement with ECC.	NO	NO	

02/0300/03	Princesshay	Ravenseft Properties Ltd	Installation of CCTV security cameras prior to use of multi-storey car park. Various works including ducting channels. Contribution towards CCTV provision in Pinhoe Road corridor. Pay reasonable costs of preparing contracts.	£25,000.00	RPI	Payment prior to start of use of multi storey car park in Paris St	Commenced.	Not yet due.	NO	NO
02/0340/03	Cheeke Street	Ravenseft Properties Ltd	Contribution towards public art on the site or Princesshay redevelopment. Index linked from 16 July 2002 until payment.	£14,000.00	RPI	Prior to commencement of development.	Development commenced.	Developer is providing public art in excess of amount within agreement therefore this contribution will be not requested. To be directly commissioned by Land Securities after agreement with ECC.	NO	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards environmental improvements in Heavitree district centre and/or the construction of additional cycle route infrastructure within 1 km of the development. Payable to ECC. Repayable if unspent after 5 years.	£44,000.00	BCIS	On implementation.	Commenced	Contribution has been requested.	NO	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent
92/0719 - 92/0721	Digby- Tesco Store, Russell Way, Couper Meadows	Tesco Stores Ltd	Environmental improvements in City Centre or other local shopping centres likely to be affected by the development	£25,322.00	£25,322.00	£0.00		Being used for enhancement of Heavitree Shopping Centre. Outline proposals considered by PMWG in January 2007. Work to commence 2007/2008.	YES	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution for conservation and display of special (archaeological) finds made during the course of development	£22,709.68	£20,000.00	£0.00	RPI	£22,709.68 received 2006. RAMM to draw up proposals for the use of this money.	YES	NO

02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards permanent storage conservation and display of archaeological records discoveries and finds made during the course of development	£56,096.77	£50,000.00	£0.00	RPI	£5,000 received under supplemental agreement dated 3/8/04 on application 03/1599/03. Remainder £51,096.77 including RPI paid 2006. RAMM to draw up proposals for the use of this money.	YES	NO
02/1845/03	Central Station Yard, Queen St-Isca Place	Bellway Homes Ltd	Infrastructure to connect the site to the Council's town centre Closed Circuit Television System. Repayable if uncommitted within 5 years.	£28,260.87	£25,000.00	£0.00	BCIS	Received 2006.	YES	NO
02/1845/03	Central Station Yard, Queen St-Isca Place	Bellway Homes	Improvements to the pedestrian and cyclist facilities within half a mile of the site for the improvement of the highway network in the City. Repayable if uncommitted within 5 years.	£56,521.74	£50,000.00	£0.00	BCIS	Received 2006.	YES	NO

Planning App no	Site	Developer	Requirement	Amount	Index	Due when	Site status	Notes	Money received	Money spent
94/0606/01	St Peter's Mount Luggs Farm Redhills	Redrow Homes	Maintenance of open space	£23,000.00	RPI	Upon adoption		Remedial works undertaken by developer. Forestry Commission satisfied Woodland Grant requirements met re northern area. Adoption currently on hold because developer not prepared to act on Councils concern about land drainage. Woodland area now set aside and attempts being made to adopt remainder of site, subject to developer making good defaults	NO	NO
99/0442/01	Princess Elizabeth Hosp. Barrack Rd	S.O.S For Health	Maintenance of public open space including play area	To be agreed		On conveyance of freehold of POS and play area to ECC	Completed	Play area installed by developer, maintained by ECC. Phase 2 now laid out awaiting transfer.	NO	NO

00/1015/01	Kinnerton Way- Lavender Road, Exwick	Barratt Homes Ltd	Lay out open space and play area to spec agreed by ECC. Pay committed sums for maintenance thereof in accordance with formula in agreement, index linked.	To be agreed	RPI	Provide on occupation of 75% of dwellings or within 2 years after commencement. Pay committed sums on transfer.	Almost complete	Development almost complete. Play area installed in October 2005 but problems with drainage and grass need to be resolved by developer.	NO	NO
01/0308/03	Land at Pynes Hill	Pynes Hill Property Ltd	Maintenance of landscape strip	£15,000.00	RPI	1 year after completion of works		Brought up to required standard. Now in care and maintenance period with effect from April 2005. Condition now improved	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"maintaining the Open Space Land after.. Transfer". Index linked from 9 December 2002. To be repaid with interest if not spent within 5 years of receipt.	£140,000.00	RPI	Before 300 dwellings have been occupied	Commenced	Not yet due, but negotiations continuing over additional areas being offered for adoption. Phasing of adoption yet to be agreed.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"the future maintenance of the children's play area". Index linked from 9 December 2002. To be repaid with interest if not spent within 5 years of receipt.	£20,000.00	RPI	Before 300 dwellings have been occupied	Commenced.	Not yet due.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision and future maintenance of a Multi- Use Games Area on the school site or the Open Space Land in a position to be agreed with (both) developers". Index linked from 9 December 2002. To be repaid with interest if not spent within 5 years of receipt.	£62,500.00	RPI	Before 300 dwellings have been occupied	Commenced.	Not yet due, but MUGA base to be installed by the developer and the cost subtracted from the developers' contribution. MUGA will be on the open space rather than school land. Play area and MUGA land to be in the first tranche of land adopted.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision of play equipment on the site". Index linked from 9 December 2002. To be repaid with interest if not spent within 5 years of receipt.	£95,000.00	RPI	Before 300 dwellings have been occupied	Commenced.	Not yet due, but play area land is expected to be in the first tranche of land adopted.	NO	NO

02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Provide public open space in two positions, to include play area to value of £100,000. Maintain for one year and transfer to ECC. Pay commuted sum in respect of the future maintenance of the public open space and the play area.	To be agreed	RPI	upon adoption	Outline permission	Not yet due.	NO	NO
02/1933/03	Ibstock Brickworks, Monks Rd-Polsloe Priory	Persimmon Homes Ltd	"costs of maintaining the leachate plant provided as part of the remediation works after it has been transferred to the Council"	£119,250.00	BCIS	Before 70 units of open market housing have been occupied	Commenced	Not yet due awaiting Phase 2. Phase1- 77 units 14 of which are HA.	NO	NO
02/1933/03	Ibstock Brickworks, Monks Rd-Polsloe Priory	Persimmon Homes Ltd	Lay out open space including play equipment and youth area, having first done remediation and monitoring, to be certified by environmental consultant. Get collateral warranties from environmental consultant, and environmental insurance. Maintain open space	£270,000.00	BCIS	Complete open space works and get remediation certificate before occupation of 57 market dwellings. Transfer land and provide insurance and warranties before 70 units of open market housing have been occupied	Commenced	Not yet due. Phase 2. Phase1- 77 units 14 of which are HA. Landscaping and remedial works not complete. Mounds to be reprofiled to a lower height. Japanese Knotweed still evident on site autumn 2006. Queries over boundary ownership to be resolved. The developer was given permission to install the play area towards the end of the maintenance period, but as the 12 months' open space maintenance period has not yet begun this will be reviewed.	NO	NO
02/1933/03	Ibstock Brickworks, Monks Rd-Polsloe Priory	Persimmon Homes Ltd	"the Council's costs of employing a consultant to advise it on the efficiency of the remediation Works, the Open Space Works and the Monitoring Requirement"	£7,500.00		Before 70 units of open market housing have been occupied	Commenced	Not yet due awaiting Phase 2. Phase1- 77 units 14 of which are HA.	NO	NO
03/0262/03	Land adj River Court, Pynes Hill	Colourcolt Ltd	Lay out landscaping works on Council's land in accordance with specification in agreement. Maintain for 12 months. Pay commuted sum towards future costs of maintaining the landscaping strip.	£5,600.00	RPI	Within 9 months of commencement or as otherwise agreed		Landscaping works not ready for adoption.	NO	NO

03/06/18/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"cost of providing open space off site to the extent provision on site does not match planning standards"	£10,500.00	RPI	Upon commencement of development	Under construction	Development has commenced. Contribution has been requested. To be used to supplement provision of MUGA and play area in new Summerway Park	NO	NO
03/06/18/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Construct public open space and play area to a value of £40,000 + VAT index linked (or pay for works instead).	£40,000.00	RPI	Open space and play area prior to occupation of dwellings, or 50% of them if no highway access to open space. Access to playing fields within 3 years of commencement of development.	Under construction.	Open space ready for adoption. Further contribution of £40,000 due as the play area is to be provided by ECC on ECC's land. Formal exchange of park land from DCC awaited before installation can begin. Contribution has been requested.	NO	NO
03/06/18/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Transfer to ECC on completion. And pay commuted sum of £39,700.	£39,700.00	RPI	Open space and play area prior to occupation of dwellings, or 50% of them if no highway access to open space. Access to playing fields within 3 years of commencement of development.	Under construction.	Open space ready for adoption. Formal exchange of park land from DCC awaited before installation can begin.	NO	NO
03/17/22/03	Richmond Yard- Platform #101	George Wimpey Bristol Ltd	To pay £6068 commuted sum for the maintenance of play areas and/or recreational facilities.	£6,068.00		Upon transfer	Under construction.	Not yet due.	NO	NO
03/2008/03, 04/1298/03	Land at Wyvern Barracks, Barrack Rd	C G Fry & Son Ltd	Maintenance of open space, multi-use -games area and children's play area	£71,242.00	RPI	Upon transfer	Under construction.	Outline layout now agreed with the developer. Details of MUGA and play area to be worked up. Facilities to be supplemented by £15,000 contribution from Well Oak (in lieu of play area there) and £15,000 from PEOH off site community facilities.	NO	NO

04/1942/01	Brunel Close	Leighton-Boyce Properties Ltd	Pay £26,640, towards improvement of public open space and/or play facilities. Indexed from date of agreement until payment. Repay if unspent within five years of payment.	£26,640.00	RPI	Prior to occupation of 10 dwellings.	No detailed permission.	To be used to upgrade childrens facilities at Looe Road. Unlikely to come forward as site has a subsequent planning consent for student housing.	NO	NO
Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent
95/0796/03	Exeter Castings, Water Lane-Chandler's Walk	Midas Homes Ltd	Provision of play equipment	£25,190.04	£20,000.00	£0.00	RPI	Being used to upgrade children's play facilities at Haven Banks play area works are near completion.	YES	NO
96/0684/03	Tan Lane & Willey's Ave	Knapp	Recreation, play eqpt & POS facilities in the Water La. Haven Banks area by 09/03/2011	£16,200.00	£15,000.00	£0.00		Part being used with Exeter Castings money to upgrade children's play facilities at Haven Banks play area works are near completion.	YES	NO
97/0459/03	19 Marsh Green Rd. Marsh Bn	Exeter Power Ltd	Tree planting and landscaping	£10,746.00	£14,205.00	£3,459.00		Planting proposals being undertaken to improve landscape in the Riverside Valley Park. £8,000 is being used for localised landscaping.	YES	NO
97/0558/03	Digby Hospital (former)	Redrow Homes (Wessex) Ltd	Pay £35,000 for provision and maintenance of play areas in Ciyst Heath area. Index linked from 16/3/98 until payment.	£42,576.00	£37,350.00	£0.00	RPI	Paid July 2003. To be used to enhance recreational facilities in new park to be developed to the north west of Digby.	YES	NO
98/0220/03	Well Oak, Dryden Road	Persimmon Homes	Providing play equipment on the site	£17,550.00	£15,000.00	£0.00		To be used as agreed with developer and residents to improve play facilities proposed at adjoining Wyvern Barracks site.	YES	NO

98/0847/01 or 98/0848/01	Clapper Brook La, Church Rd, Alph-Powlesland Road	Barratt Homes Ltd	Lay out open spaces including play area up to the value of £15,000. Maintenance of POS.	£8,730.78	£8,730.78	£8,730.78	£0.00	RPI	Equipment has been installed by the developer. Some remedial works needed including repositioning of fence. Land has yet to be adopted although contribution has been received.	YES	NO
03/0262/03	Land adj River Court, Pynes Hill	Colourcolt Ltd	Lay out landscaping works on Council's land in accordance with specification in agreement. Maintain for 12 months. Pay committed sum towards future costs of maintaining the landscaping strip.	£6,190.00	£6,190.00	£5,600.00	£0.00	RPI	Land is in our ownership. Contribution to be used for maintenance of strip.	YES	NO
03/1722/03	Richmond Yard- Platform #101	George Wimpey Bristol Ltd	To pay £25,000 plus VAT, for use in connection with the provision of play areas and/or recreational facilities to serve the locality. Index linked.	£25,026.04	£25,026.04	£25,000.00	£0.00	RPI	Received September 2005. Possible use (alongside other contributions) to create new facilities in Exe Street Cemetery or on Bonhay Road.	YES	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Index	Due when	Site status	Notes	Money received	Money spent
99/0535/01	Mafford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£40,000.00	£40,000.00				Scheme has been completed. ECC has requested payment on behalf of DCC.	NO	NO
99/0535/01	Mafford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£19,500.00	£19,500.00	RPI	To ECC. Final instalment on service of notice.		Scheme has been completed. ECC has requested payment on behalf of DCC.	NO	NO
00/1363/01	Hill Barton Farm-Met Office	Rokeagle, Salter and Beazer	Additional bus journeys (or parts) linking Honiton Road next to the site and City, Exmouth and Honiton bus corridors. DCC to return unexpended amounts.	£0.00	£180,000.00	£180,000.00	RPI	Five annual payments starting from first occupation	Completed	Payment due and invoiced. DCC have been reminded that they can request payment.	NO	NO

01/1556/03	Ransom Pickard House. St German's Rd	University of Exeter	"Costs arising from stopping up order and of amending and implementing any (necessary) Traffic Orders."	£0.00	Not specified				Not specified	Completed.	DCC to request payment.	NO	NO
02/0047/01	Land East of Exeter Business Park- EDF Energy	London Electricity Group	Close Pinn Lane to vehicles between Grenadier Road and Honiton Road. Pay cost of traffic management measures on demand.	£0.00	Not specified				Prior to commencement	Completed	No proposal to close Pinn Lane. Will not be pursued.	NO	NO
02/0047/01	Land East of Exeter Business Park- EDF Energy	London Electricity Group	Contribution to improvement of bus services to and from residential areas of the City.	£150,000.00	£375,000.00	£225,000.00			Equal payments for each of 1st 5 years after occupation less rebate	Completed	£75,000 received for 1st year. 2nd payment received 17/1/05. £225,000 remains. Awaiting passenger figures from operator before invoicing for 3rd payment.	YES	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"designing and implementing highway infrastructure improvements between Digby Arch in Sidmouth Road and the Digby Park and Ride Site to facilitate an orbital bus service for ... Exeter". Index linked from 9 December 2002. Repay if unspent within 10 years	£0.00	£115,000.00	£115,000.00	RPI		Upon demand to DCC but not before 1st occupation of any dwelling in the development.	Commenced	Development in progress. DCC are working on a scheme. DCC have been reminded that they can request payment.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"future maintenance of the traffic signals installed as part of the Highway works" Index linked from 9 December 2002. Repay if unspent within 10 years of payment.	£0.00	£25,000.00	£25,000.00	RPI		To DCC when installation completed.	Commenced	Development has started. Payments due. Design in hand but money not yet required.	NO	NO

02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"enhancement of public transport services between the development and the centre of Exeter and/or a proposed orbital bus service serving the development". Index linked from 9 December 2002. Repay if unspent within 10 years of payment.	£110,000.00	£550,000.00	£440,000.00	RPI	Five equal annual instalments.	Commenced	1st instalment of £110,000 received in 03/05/05. £440,000 remains. DCC have been reminded that they can request payment.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision of enhanced public transport facilities at Digby railway Station". Index linked from 9 December 2002. Repay if unspent within 10 years of payment.	£0.00	£25,000.00	£25,000.00	RPI	Upon demand to DCC but not before 50th dwelling occupied	Commenced	Development in progress. DCC to request payment.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"designing, preparing and implementing traffic regulation orders in the streets adjoining the property" Index linked from 9 December 2002. Repay if unspent within 10 years of payment.	£0.00	£3,000.00	£3,000.00	RPI	To DCC after commencement of development when requested.	Commenced	Design in hand. DCC have been reminded that they can request payment.	NO	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"the reasonable and proper costs incurred by the County Council in designing the traffic signals (at the accesses to the site from Rydon Lane and Sidmouth Road) which will be installed by the 1st or 2nd developer as part of the highway works". Index linked.	£0.00	To be calculated		RPI	To DCC after commencement of development when requested.	Commenced	Some of the lights are in place. DCC will cover design costs when design in hand but money not yet required. To be re-paid within 10 years of receipt if not used. DCC have been reminded that they can request payment.	NO	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards real time bus information at Honiton Road Park and Ride.	£0.00	£8,000.00	£8,000.00	RPI	Upon request from DCC	Commenced	DCC are seeking agreement via WSP to use for GPS on buses on this route to enable the RTI. DCC have been reminded that they can request payment.	NO	NO

02/0300/03	Princesshay	Ravenseft Properties Ltd	Pay cost of necessary traffic regulation orders	£0.00	TBA				On demand	Commenced	Not yet due.	NO	NO
02/0340/03	Cheeke St /Belgrave Rd	Ravenseft Properties Ltd	"operation of the Cheeke St Travel Forum"	£0.00	£9,000.00	£9,000.00	RPI	£3,000 per annum for an initial period of three years from 1st occupation of any part of development	Commenced	Commenced	DCC have been reminded that they can request payment.	NO	NO
02/0535/03	Land at Pyne's Hill	Lone Eagle Estates Ltd	Pay highway contribution as found to be necessary by transport assessment	£0.00	TBA		RPI	On or before first occupation	Completed.	Completed.		NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	". towards the cost to be incurred by the County Council in procuring two additional bus services from the property to Exeter City Centre and Marsh Barton or such other routes or destinations as may be approved by the owner."	£0.00	£1,250,000.00	£1,250,000.00	RPI	Prior to commencement	Outline permission	Outline permission	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	"improvement of pedestrian/cycle facilities from the property to Countess Wear School and Priory High School and into the existing adjoining network."	£0.00	£10,000.00	£10,000.00		Prior to occupation	Outline Permission	Outline Permission	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Install traffic signals at the entrance of the site onto Topsham Road. Pay commuted sum in respect of the cost of operating and maintaining the said traffic signals.	£0.00	£10,000.00	£10,000.00	RPI	Prior to occupation	Outline permission	Outline permission	Not yet due	NO	NO

02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	"...provision of 24 hour dedicated bus priority lane along Topsham Road between the access to the property and Countess Wear roundabout and part of Bridge Road, including relocation of bus stops and bus shelters as shown on plan 2"	£0.00	£40,000.00	£40,000.00	£40,000.00	RPI	Prior to commencement	Outline permission	Not yet due	NO	NO
02/1933/03	Ibstock Brickworks, Monks Rd- Polsoe Priory	Persimmon Homes Ltd	Carry out or pay for road works, namely speed cushions, markings and signage in Monks Road and adjacent streets. If developer pays money, DCC is to repay if unspent 5 years after payment. Construct cycle path on site, for adoption.	£0.00	To be calculated.			BCIS	During course of development	Commenced	Roadworks expected to commence shortly.	NO	NO
03/06/18/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"towards traffic calming measures in the vicinity of the site".	£0.00	£50,000.00	£50,000.00	£50,000.00	RPI	DCC to demand within 5 years of commencement of development.	In maintenance	Off-site highway works in the sum of £50,000.00 carried out by Exeter Housing Soc	YES (works to the value of)	YES (works to the value of)
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Pay £65,000 towards highway improvements. Indexed from 9 Dec 2003 until payment. Repay if unspent within 10 years of payment.	£0.00	£65,000.00	£65,000.00	£65,000.00	RPI	On demand, not earlier than first occupation or letting of contract for works, and not later than cut off date as defined.	Commenced	This is part of the Digby site - an agreement dated 30 June 2003 covers an adjacent area. Now due. DCC have been reminded that they can request payment.	NO	NO
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Pay £80,000 towards public transport (enhancement of services between the development and the City Centre and/or proposed orbital bus service serving the development). Indexed from 9 Dec 2003 until payment. Repay if unspent within 10 years of payment.	£0.00	£80,000.00	£80,000.00	£80,000.00	RPI	50% on demand, not earlier than first occupation; balance one year later.	Commenced	This is part of the Digby site - an agreement dated 30 June 2003 covers an adjacent area. Development in progress. DCC notified. Now due. DCC have been reminded that they can request payment.	NO	NO

03/1611/01	County Ground			Pay £2500 for travel pack.	£0.00	£2,500.00	£2,500.00	RPI	Prior to commencement of development.	No detailed permission.	Not yet due.	NO	NO
03/1611/01	County Ground			Pay £35000 for public transport. Repayable if unspent within 5 years of payment.	£0.00	£35,000.00	£35,000.00	RPI	Prior to commencement of development.	No detailed permission.	Not yet due.	NO	NO
03/1611/01	County Ground			Pay £40000 for traffic calming measures. Indexed from date of agreement until payment. Repayable if unspent within 5 years of payment.	£0.00	£40,000.00	£40,000.00	RPI	Within 14 days of demand, after and within 5 years of commencement of development.	No detailed permission.	Not yet due.	NO	NO
03/1612/03	Land Adj Sandy Park Farm- Rugby Ground	Exeter Rugby Group Ltd and others		Provision of lighting to the pedestrianized section of Woodwater Lane (developer to provide other pedestrian infrastructure itself).	£0.00	Not known	Not known		After contract has been let by DCC within 5 years of commencement of development	Completed.	DCC have been reminded that they can request payment.	NO	NO
03/1612/03	Land Adj Sandy Park Farm- Rugby Ground	Exeter Rugby Group Ltd and others		"Traffic regulation Orders to restrict on-street parking on match days on such streets within a 1.5 Km radius of the site ---- including variations and extensions to them". Also net costs of policing and monitoring, and of issuing and renewing permits.	£0.00	Not known	Not known		Upon demand from DCC following expenditure	Completed.	DCC have been reminded that they can request payment.	NO	NO
03/1612/03	Land Adj Sandy Park Farm- Rugby Ground	Exeter Rugby Group Ltd and others		Maintaining the pedestrian works (footbridge and a lit cycle/footway linking site with Digby Railway Station and Park and Ride car park) for a period of 10 years	£0.00	To be estimated			Upon adoption	Completed.	DCC have been reminded that they can request payment.	NO	NO
03/1729/03	117 Exwick Road	Exeter Primary Care Trust		Pay £1500 towards making order required by the development. Index linked from 9/3/05 until payment. Repayable if unspent within one year of payment.	£0.00	£1,500.00	£1,500.00	RPI	On demand by DCC.	Completed	Completed. DCC have been reminded that they can request payment.	NO	NO

04/0383/03	Victoria Yard	Exeter College	Pay £30,000 towards improvements to environmental pedestrian, cyclist and safety enhancements in the Queen St area. Index linked. Repayable if unspent within 10 years	£0.00	£30,000.00	£30,000.00	£30,000.00	RPI	Prior to first occupation.	Commenced	DCC have been reminded that they can request payment.	NO	NO
04/0506/03	Topsham Middle School- Armada Court, Parkfield Road	Pegasus Retirement Homes PLC	£15,000 for the provision of speed reduction measures in the vicinity of the development. Index linked from date of agreement until payment. Repayable if not spent within 10 years of payment.	£0.00	£15,000.00	£15,000.00	£15,000.00	RPI	Prior to commencement of development.	Complete except for lighting.	Scheme in hand. DCC to request payment.	NO	NO
04/0506/03	Topsham Middle School- Armada Court, Parkfield Road	Pegasus Retirement Homes PLC	Proper and reasonable costs of providing lighting to the footpath along the south eastern and part of the south western boundary of the site. Repayable if not spent within 10 years of payment.	£0.00	To be calculated.				Prior to commencement of development or, if later, within 14 days of notification by DCC of cost. Limit of 10 years after commencement.	Complete except for lighting.	Development Complete. Pegasus have requested DCC Street Lighting to prepare a scheme.	NO	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards public transport following the implementation of a suitably direct road link to future development at Newcourt to the south of the A379 between the A379 and Topsham Road. Repayable if unspent after 10 years.	£0.00	£50,000	£50,000	£50,000	BCIS	On occupation	Commenced	DCC have been reminded that they can request payment.	NO	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards sustaining public transport serving the development. Repayable if unspent after 10 years.	£0.00	£72,000.00	£72,000.00	£72,000.00	BCIS	On occupation	Commenced	DCC have been reminded that they can request payment.	NO	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards improvements at Sandygate junction. Repayable if unspent after 10 years.	£0.00	£93,000.00	£93,000.00	£93,000.00	BCIS	On occupation	Commenced	DCC have been reminded that they can request payment.	NO	NO

04/1368/03	Well Park, Willeys Avenue				£35,000 towards the provision of a new access road to and from the Haven Road area. Index linked. Repayable if not spent/committed within 10 years of payment.	£0.00	£35,000.00	£35,000.00	RPI	On commencement of development.		DCC have been reminded that they can request payment.	NO	NO
04/1395/03	Tan Lane				£12,000 towards the provision of a new access road to and from the Haven Road area. Index linked. Repayable if not spent/committed within 10 years of payment.	£0.00	£12,000.00	£12,000.00	BCIS	No dwelling to be occupied until paid.		DCC to request payment.	NO	NO
04/1814/03	7 Tudor Street	Gadd Homes Ltd			Pay £5000 for closure of junction of Tudor Street with Frog Street/Western Way. Index linked. Repayable if unspent within 5 years.	£0.00	£5,000.00	£5,000.00	RPI	On commencement of development.	Commenced	DCC to check. Not payable if already paid under agreement dated 21 April 2006 on Old Mill, Tudor Street (05/1633/03).	NO	NO
04/1950/03	Aftheistan Road	St Leonard's Medical Practice			Pay £2,500 for review and revision of traffic orders affecting the site. Index linked from agreement until payment according to BCIS. Repay if unspent within 5 years.	£0.00	£2,500.00	£2,500.00	BCIS	On commencement of development.	Commenced	DCC to request payment.	NO	NO
05/0177/03	St Lukes School, Ringswell Avenue- St Nicholas School	Governing Body			Works to prevent right turns at junction of Ringswell Avenue and Honiton Road. Contribution towards cost of traffic order.	£0.00	£2,000.00	£2,000.00	BCIS	Contribution on commencement, works before occupation.		DCC have been reminded that they can request payment.	NO	NO
05/0177/03	St Lukes School, Ringswell Avenue- St Nicholas School	Governing Body			Travel plan to be agreed with DCC and implemented. Pay cost of traffic counting equipment (£6,750), plus further contribution if vehicle movements exceed specified limit.	£0.00	£6,750.00	£6,750.00	BCIS	Counter contribution payable on demand. Additional contribution payable at end of term when excessive movements occur.		DCC have been reminded that they can request payment.	NO	NO

05/1053/01	Land north of EDF Energy, Pinn Lane		Contribution towards provision of public transport services serving the vicinity of the site. Repayable if unspent after ten years.	£0.00	£100,000.00	£100,000.00	BCIS	£20,000 on commencement of development, £20,000 annually thereafter.	Commenced	DCC to request payment.	NO	NO
05/1053/01	Land north of EDF Energy, Pinn Lane		Contribution towards provision of transport and highway infrastructure in the Monkerton Link Road corridor. Repayable if unspent after ten years.	£0.00	£250,000.00	£250,000.00	BCIS	On commencement of development.	Commenced	DCC to request payment.	NO	NO
05/1053/01	Land north of EDF Energy, Pinn Lane		Contribution towards improvements in the circulatory carriageway underneath junction 30 of the M5. Payable to DCC, and onward by them to Highways Agency on letting of contract. Repayable if unspent after ten years.	£0.00	£50,000.00	£50,000.00	BCIS	On commencement of development.	Commenced	DCC to request payment.	NO	NO
05/1633/03	Old Mill and Old Stables, Tudor Street		Pay contribution towards closure of junction of Tudor Street with Frog Street/Western Way if not already paid under agreement dated 24 August 2005 on 7 Tudor Street (04/18/14/03).	£0.00	£5,000.00	£5,000.00	RPI	Prior to commencement.	Commenced	DCC to check. Not payable if already paid under agreement dated 21 April 2006 on 7 Tudor Street (04/18/14/03).	NO	NO
05/1738/96	42a Chamberlain Road		Pay contribution towards Haven Road Link. Repayable if unspent 10 years after payment.	£0.00	£15,000.00	£15,000.00	BCIS	Prior to occupation		Not yet due.	NO	NO

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount outstanding	Index	Notes	Money received	Money spent
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93/0594/03	Marsh Barton Road	Wickes	Grace Road Link and Marsh Barton Rd/Alpington Rd junction improvement	£90,205.00	£90,205.00	£0.00	£0.00	Marsh Barton Road/Alpington Road junction improvement completed. Funds to be used to contribute to provision of Grace Road link. Planning permission granted subject to completion of link. DCC to provide remainder of £400k needed.	YES	NO
95/0341/03	Bad Homburg Way- Matford Park	Rokeagle/ Dinnis	Off site cycleway improvements.	£33,930.00	£30,000.00	£0.00	£0.00	DCC have finalized proposals for the use of this money . NB subsequent agreements dated 4/4/01 and 26/2/03 deleted and varied some of the requirements of this agreement.	YES	NO
95/0356/03	Ibstock Brickworks, Monk's Rd	Ibstock Building Products Ltd	Contribution towards improvement of Exhibition Way and Pinhoe Road junction. Repayable if work not commenced by 30/04/2006	£28,274.00	£28,274.00	£0.00	RPI	(see also 97/0640/03 and 05/0724/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.	YES	YES
96/0474/03	Haven Road- The Quays, Haven Banks	Midas Homes Ltd	Highway works, and contribution to fund improved access to Haven Banks area. Repayable if unspent within 10 years of payment.	£46,590.00	£40,000.00	£0.00	RPI	Payment held to assist implementation of future proposals.	YES	NO
97/0640/03	Pinhoe Road- Aldi, Exhibition Way/Pinhoe Road	Great Mills (Retail) Ltd	Improvement of Exhibition Way and Pinhoe Road junction. Repayable if work not commenced by 28/08/2007.	£12,259.00	£10,838.00	£0.00	RPI	(see also 95/0356/03 and 05/0724/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.	YES	YES
98/0220/03	Well Oak, Dryden Rd	Beazer Homes	Order to restrict parking on estate roads	£4,216.00	£4,216.00	£0.00	£0.00	Used for inclusion in County Hall parking restrictions. Only area not presently covered.	YES	YES

99/04/70/01	Matford Park, Bad Homburg Way- Matford Park, Bad Homburg Way	Rokeagle Land Ltd	For survey and design work.	£5,913.43	£5,000.00	£0.00	RPI	Scheme designed and completed.	YES	YES
01/0084/01	Digby Retail Warehouse Development	Tesco	Conversion of works' to provide bus only right turn lane into Parkland Drive into cash contribution for public transport.	£66,820.00	£66,820.00	£0.00		Ongoing expenditure.	YES	YES
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC to either improve Middlemoor and Sandygate roundabouts, other highway works or provision of alternative transport facilities to ease congestion at these roundabouts within 10 years of receipt.	£187,480.00	£187,480.00	£0.00		Money received by DCC October 2003. Permission carrying out improvements to Moto Services Roundabout and money will be passed to them. No proposals to improve Sandygate at the present time.	YES	NO (Scheme due to commence January 2007)
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC for the improvement of Park and Ride facilities at nearby P & R area within 10 years of receipt.	£141,700.00	£141,700.00	£0.00		Money received by DCC October 2003. Proposals being developed by DCC in consultation with RD&E and ECC	YES	NO
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC to improve accessibility to public transport in the east of Exeter. For a period of 5 years.	£660,072.00	£660,072.00	£0.00		Ongoing expenditure	YES	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Improvement of public transport facilities and their services with stops within 1 Km of the site.	£39,000.00	£39,000.00	£0.00		To be spent on real time bus information. Implementation due shortly.	YES	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Review of traffic regulation orders within 0.5 Kms of the site	£1,000.00	£1,000.00	£0.00		To be implemented shortly.Awaiting completion of development.	YES	NO

01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Toucan crossing of Western Way within 0.5 Kms of the site	£30,000.00	£30,000.00	£30,000.00	£0.00		Awaiting completion of development next to courts to allow route to Southernhay.	YES	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Contra flow cycle lane in Western Way	£5,000.00	£5,000.00	£5,000.00	£0.00		Awaiting completion of development next to courts to allow route to Southernhay.	YES	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Real time bus signing system within 0.5 Km of site upon implementation of the development.	£10,000.00	£10,000.00	£10,000.00	£0.00		To be implemented shortly.	YES	NO
01/1614/03	Pinhoe Rd Whipton-Sainsbury's Pinhoe	Sainsburys	To DCC for " public transport facilities to the site". Repay if unspent 5 years after payment.	£74,000.00	£74,000.00	£74,000.00	£0.00		Ongoing expenditure	YES	YES
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards providing, renewing or improving car parking variable message signs within the City of Exeter at Gordon's Lamp, Heavitree Rd, Holloway St, Western Way, Clock Tower, Paris St, Blackboy Rd and in Southernhay outside the Civic Centre.	£141,661.00	£130,000.00	£130,000.00	£0.00	RPI	Money rec'd 04/11/05. In the process of implementing; contracts let. Expect to spend large proportion by end March 07.	YES	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution to the development of a City Centre travel plan. Prepare and implement a travel plan for the site.	£3,000.00	£3,000.00	£3,000.00	£0.00	RPI	Green Travel Plan in preparation.	YES	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Improvement of Park and Ride facilities	£64,837.00	£59,500.00	£59,500.00	£0.00	RPI		YES	NO

02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution for bus transponders and transponder readers with associated civil engineering works and appropriate training for operatives.	£70,831.00	£65,000.00	£0.00	RPI	Received 19/10/05.	YES	NO
02/0535/03	Land at Pyne's Hill	Lone Eagle Estates Ltd	"£40,000 per year for two years for the provision of new bus service or extension or alteration of the route of existing bus services to serve the site"	£40,000.00	£80,000.00	£40,000.00	RPI	First £40,000 instalment paid 08/03/2004. Developer continues to dispute 2nd payment.	YES	NO
02/1845/03	Central Station Yard, Queen St- Isca Place	Bellway Homes Ltd	"Alterations to the variable message sign system on New North Road". Repayable if uncommitted within 2 years.	£12,000.00	£12,000.00	£0.00	BCIS	Payment made 22/12/05. Possible use towards 'Travel Smart'.	YES	NO
02/1845/03	Central Station Yard, Queen St- Isca Place	Bellway Homes Ltd	"Production and distribution of information pack for residents of the site ". Repayable if uncommitted within 2 years.	£2,000.00	£2,000.00	£0.00	BCIS	Payment made 22/12/05.	YES	NO
02/1845/03	Central Station Yard, Queen St- Isca Place	Bellway Homes Ltd	"Traffic orders on New North Road and Queen Street". Repayable if uncommitted within 2 years.	£3,367.20	£3,000.00	£0.00	BCIS	Received 28/09/05.	YES	YES
02/1933/03	Ibstock Brickworks, Monks Rd- Polsoe Priory	Persimmon Homes Ltd	"designing, preparing and implementing traffic regulation orders in the streets adjoining the property"	£3,000.00	£3,000.00	£0.00	BCIS	Payment received 02/02/06.	YES	NO
03/0262/03	Land at Pyne's Hill	Colourcoilt Ltd	"provision of public transport infrastructure in the vicinity of the site"	£23,644.00	£23,000.00	£0.00	RPI	Funds received. Public transport for this area under review by DCC- Future improvements likely for which money will be used.	YES	NO

03/1688/03	Nichols Centre	Devon Community Housing Society Ltd	Pay £1500 towards order for additional restrictions to on-street parking in the vicinity of the site, and on the highways (if any) to be adopted within the development. Repayable if unspent within 3 years of Part 2 Certificate or release of bond, or 5 years.	£1,500.00	£1,500.00	£1,500.00	£0.00			Received by DCC March 2005. Proposals under consultation.	YES	NO
03/1722/03	Richmond Yard-Platform #101	George Wimpey Bristol Ltd	£2500 to provide a residents' parking scheme on the Site. Index linked.	£2,500.00	£2,500	£0.00	£0.00	RPI		£2,500 received by DCC 07/09/05.	YES	NO
03/1722/03	Richmond Yard-Platform #101	George Wimpey Bristol Ltd	£2500 to provide travel pack for residents. Index linked.	£2,500.00	£2,500	£0.00	£0.00	RPI		£2,500.00 received 07/09/05.	YES	NO
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Pay £24,000 for construction of a footpath from Shakespeare Road to south-eastern boundary of site. Index-linked. Repayable if not spent within 10 years of payment.	£24,215.00	£24,000.00	£0.00	£0.00	RPI		Received 29/06/05	YES	NO
05/0724/03	Aldi, Exhibition Way/Pinhoe Road	Aldi Stores Ltd	Contribution to road improvements at junction of Exhibition Way and Pinhoe Road.	£4,670.00	£4,670.00	£0.00	£0.00			(see also 95/0355/03 and 97/0640/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.	YES	YES
05/1511/01	Bradford's Building Supplies, Cowley Bridge Road		Contribution to provide a traffic order to control on-street parking in the immediate vicinity of the site.	£1,500.00	£1,500.00	£0.00	£0.00				YES	NO

Planning App no	Site	Developer	Requirement	Amount	Amount Outstanding	Index	Due when	Notes	Money received	Money spent
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	" towards a minibus for elderly persons not able to use public transport"	£20,000.00	£20,000.00	RPI	Before more than 200 houses occupied	Not yet due.	NO	NO

02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	" .. towards services for elderly persons"	£25,000.00	£25,000.00	RPI	Before more than 200 houses occupied	Not yet due.	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	" ..expansion of learning disability services."	£25,000.00	£25,000.00	RPI	Before more than 200 houses occupied	Not yet due	NO	NO
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	" ..a single place in a children's home."	£30,000.00	£30,000.00	RPI	Before more than 200 houses occupied	Not yet due	NO	NO

Money received

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent	Group
98/0847/01 or 98/0848/01	Clapper Brook La, Church Rd. Alph-Powlesland Road	Barratt Homes Ltd	Lay out open spaces including play area up to the value of £15,000. Maintenance of POS.	£8,730.78	£8,730.78		RPI	Equipment has been installed by the developer. Some remedial works needed including repositioning of fence. Land has yet to be adopted although contribution has been received.	YES	NO	os
03/0262/03	Land adj River Court, Pynes Hill	Colourcoilt Ltd	Lay out landscaping works on Council's land in accordance with specification in agreement. Maintain for 12 months. Pay commuted sum towards future costs of maintaining the landscaping strip.	£6,190.00	£5,600.00		RPI	Land is in our ownership. Contribution to be used for maintenance of strip.	YES	NO	os
										Total received= £14,920.78	

Money spent

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Amount spent	Index	Notes	Money received	Money spent	Group
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98/1090/01	St James Rd/Old Tiverton Road	Exeter Housing Assn	Improvement of facilities likely to be used by children living on the site by 01/03/07	£0.00	£6,242.00	£6,242.00	£6,242.00			YES	YES	YES	Money paid to the Diocese. Used towards the new school project.		ed
02/1845/03	Central Station Yard, Queen St.- Isca Place	Bellway Homes	". Education infrastructure likely to be used by children living on the site"	£0.00	£3,616.00	£3,723.25	BCIS			YES	YES	YES	Shortfall of 1 place created at the Primary school.		ed
03/1722/03	Richmond Yard- Platform #101	George Wimpey Bristol Ltd	£34,213.80 for use in connection with schools serving the locality. Index linked.	£0.00	£34,213.80	£34,213.80	RPI			YES	YES	YES	Payment recd by DCC 08/09/05. Spent at St Leonard's Primary (Exeter Re-organisation).		ed
95/0356/03	Ibstock Brickworks, Monk's Rd	Ibstock Building Products Ltd	Contribution towards improvement of Exhibition Way and Pinhoe Road junction. Repayable if work not commenced by 30/04/2006	£0.00	£28,274.00	£28,274.00	RPI			YES	YES	YES	(see also 95/0356/03 and 05/0724/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.		tr
97/0640/03	Pinhoe Road- Aldi Exhibition Way/Pinhoe Road	Great Mills (Retail) Ltd	Improvement of Exhibition Way and Pinhoe Road junction. Repayable if work not commenced by 28/08/2007.	£0.00	£10,838.00	£12,259.00	RPI			YES	YES	YES	(see also 95/0356/03 and 05/0724/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.		tr
98/0220/03	Well Oak, Dryden Rd	Beazer Homes	Order to restrict parking on estate roads	£0.00	£4,216.00	£4,216.00				YES	YES	YES	Consideration being given to inclusion in County Hall parking restrictions. Only area not presently covered.		tr

99/04/70/01	Matford Park, Bad Homburg Way- Matford Park, Bad Homburg Way	Rokeagle Land Ltd	For survey and design work.	£0.00	£5,000.00	£5,913.43	RPI	Scheme designed and completed.	YES	YES	tr
01/0084/01	Digby Retail Warehouse Development	Tesco	Conversion of 'works' to provide bus only right turn lane into Parkland Drive into cash contribution for public transport.	£0.00	£66,820.00	£66,820.00		Ongoing expenditure	YES	YES	tr
01/1614/03	Pinhoe Rd Whipton- Sainsbury's Pinhoe	Sainsburys	To DCC for " public transport facilities to the site". Repay if unspent 5 years after payment.	£0.00	£74,000.00	£74,000.00		Ongoing expenditure	YES	YES	tr
02/1845/03	Central Station Yard, Queen St.	Isca Place- Bellway Homes Ltd	"Traffic orders on New North Road and Queen Street". Repayable if uncommitted within 2 years.	£0.00	£3,000.00	£3,367.20	BCIS	Received 28/09/05.	YES	YES	tr
05/0724/03	Aldi, Exhibition Way/Pinhoe Road	Aldi Stores Ltd	Contribution to road improvements at junction of Exhibition Way and Pinhoe Road.	£0.00	£4,670.00	£4,670.00		(see also 95/0356/03 and 05/0724/03). Contribution used towards improvement of Exhibition Way and Pinhoe Road junction.	YES	YES	tr total= £199,519.63

Total spent=
£243,698.6
8

03/06/18/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"towards traffic calming measures in the vicinity of the site".	£0.00	£50,000.00	£0.00	RPI	Off-site highway works in the sum of £50,000.00 carried out by Exeter Housing Soc	YES (works to the value of)	YES (works to the value of)	tr
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SITES BEING MONITORED BY THE COMMUNITY FACILITIES IMPLEMENTATION GROUP

SOUTHERN AREA

Site	Status	Key issues
Aspen Close	Appeal pending against refusal.	£30,000 in draft section 106 agreement for off site provision, possibly at Quarry Park Play Area.
Digby (Kings Heath)	Under construction.	Developers are carrying out ground works on main area of open space and MUGA. Developers offering for adoption other areas of open space and landscaping, subject to bringing them up to standard and paying commuted sums. Priority is to have the MUGA and surrounding area adopted, but it is likely to be autumn 2007 at the earliest before that area can be completed. A note is being put on local search responses to prevent sale of 50 houses until the works are complete.
Royal Naval Stores Depot	Outline only. Reserved matters applications submitted.	Section 106 agreement on outline permission requires developer to provide a community building on land which is to be transferred to ECC (or pay a sum of £500,000 index-linked, open space and play facilities).
Wyvern Barracks	Under construction.	£30,000 is held from other schemes to contribute to facilities on this site. Final design for MUGA being considered by developer, and Members have been consulted. Developer is to level and seed much of the site, construct MUGA base, ducting etc and make a contribution in lieu of play equipment etc plus the balance of the cost of the MUGA and lights. We will then adopt the land, complete the MUGA and install the play equipment. Hoped to be completed by summer 2007 if all goes well. Legal work for adoption is almost completed.

NORTHERN AREA

Site	Status	Key issues
Brunel Close	Permission for flats and section 106 agreement.	Section 106 agreement provided for off-site play area contribution, intended for Looe Rd play area. Developer has now obtained permission for an alternative development for student accommodation on appeal and is more likely to implement that scheme (with no contribution).

Chancel Lane	Awaiting application.	Leisure have asked for an off-site contribution. They do not consider that an on-site play area is desirable or necessary, but a pedestrian link is required to Harrington Lane play area. Money would be used to improve Harrington Lane or Pinhoe (Station Rd) play area. There will be a requirement for public open space on site.
Dinham Road /Episcopal Annex	Resolution to grant permission subject to s106 agreement.	Developer is providing play equipment on site for under sevens. This will not be adopted. Money for off-site play area is to be amalgamated possibly with Richmond Yard off-site contribution to provide a facility in the area. Location yet to be identified.
Orwell Garth	Development completed.	Open space ready for adoption, and ECC maintaining it while legal work is completed.
Polisloe Prioory (Rougement Mews)	Development nearing completion.	Officers met with Developer on 27 November 2006. All issues were discussed including re-contouring of mounds, installation of play equipment, eradication of knotweed, and boundary treatment. Providing all the issues can be resolved, adoption of open space could occur in the first half of 2007.
Richmond Yard	Under construction.	Small play area being provided on site by the developer for adoption by ECC. Contribution of £25,000 for off-site facilities has been paid.
Round Table Meet	Development completed	Open space adopted – ECC is doing remedial works with money from developer. Play area was installed in 2005.
Summerway	Development nearing completion.	Play area and MUGA being provided in adjacent park, hopefully by summer 2007. There is to be a land swap with the old school playing field (see below) – the section 106 open space is a small area adjoining this. Legal work for land transfers is under way.
Summerway/North brook	Land swap (not section 106 agreement but included here for clarity).	ECC are exchanging a playing field south of the former Northbrook School for former playing fields of Summerway School. Legal work is under way. When this and the Summerway open space are complete, the MUGA and play area will be installed on Summerway.

WESTERN AREA

Site	Status	Key issues
County Ground	Outline permission. Details approved for part of site	Outline PP requires a contribution of £300 per dwelling. Likely to be used to provide facilities in either or both of Cowick Barton Playing Field (including

	(retirement flats). Application for remainder of the site was refused.	access paths, upgrading the play area, sports pitch improvements (possibly a MUGA) or St Thomas Pleasure Ground.
Gras Lawn	Development completed.	Open space adopted and play equipment installed in summer 2006.
Haven Banks / Chandler's Walk	Development completed.	Open space adopted. Play area contributions received from this and another site. Play area to be installed in January 2007.
Hylton	Development completed.	Play area completed. Legal work under way for adoption of remaining open space.
Lavender Road	Development completed.	Play area installed but remedial work needed prior to adoption, including drainage works, relaying of safety surfaces and replacement of planting.
Loram Way	Development completed.	Section 106 agreement did not require open space to be adopted and it remains in private ownership. Leisure has consulted Alphington residents on play needs, and the intention is to install a new small play area at Myrtle Close (subject to planning permission).
Kinnerton Way (Medley Court)	Development completed.	MUGA and community centre recently completed and handed over, subject to final snagging. Lights will be provided, but source of funding is dependent on the results of a funding application.
PEOH	Development completed.	Phase 1 – Adoption being delayed by dispute between developer and housing association as to area to be adopted. Phase 2 – legal work under way. Play area is in use, being maintained by ECC although not yet adopted.
Powlesland Road	Development completed.	Open space and play area will be adopted when final remedial works carried out. Legal transaction is ready to complete.
St Peter's Mount	Development completed.	Discussions under way with developer over indemnity and insurance in respect of drainage issues. Legal work under way to adopt the other areas of open space in advance of this.

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EXETER CITY COUNCIL

PLANNING COMMITTEE

19th FEBRUARY 2007

OBJECTIONS TO TREE PRESERVATION ORDER NO.568 (6 ELLIOTT CLOSE, EXETER), 2006.

1. PURPOSE OF REPORT

- 1.1 The following report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order No. 568 (6 Elliott Close, Exeter). The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. If an Order is confirmed (with or without modification) the protection that it provides becomes permanent but if it is not confirmed it ceases to have effect.

2. BACKGROUND

- 2.1 Tree Preservation Order No. 568 protects one Oak tree (T1) located within the front garden of 6 Elliott Close adjacent to the southwest boundary.
- 2.2 The order was made following pre application discussions regarding the possible construction of a single story extension to the south west of the existing property.
- 2.3 The Order was signed on 28th November 2006 and remains in force for a period of 6 months. If the Order is confirmed the protection becomes permanent; if the Order is not confirmed it ceases to have effect.

3. POINTS RAISED BY THE OBJECTORS

- 3.1 One letter of objection has been received from the owner of 6 Elliott Close.
- 3.2 The objection can be summarised as follows.
- The tree does not provide any amenity value and certainly not high amenity value.
 - The tree sheds leaves, acorns and other types of debris onto the road and pavement causing blocked drains and the pavement to become slippery.
 - Oak trees are probably the country's commonest tree and thus do not offer high amenity value.
 - There are four other trees of good size immediately across the road.
 - The tree is not particularly attractive and many lower branches have been removed.

4. OBSERVATIONS

- The tree is growing within the corner of the garden adjacent to the pavement it is considered that the tree makes a significant and valuable contribution to the street scene.
- Leaf and acorn fall are natural processes that occur as part of the trees physiology they are not reasons to exclude a tree from a Tree Preservation Order.
- The tree's inclusion within a Tree Preservation Order reflects its significant visual amenity value and not its rarity, notwithstanding the above large mature oak trees are not common within housing estates in the area.
- The presence of other trees within the area does not detract from the contribution this tree provides to the area.
- The tree has undergone pruning in the past particularly the removal of a number of low branches to allow for the free passage of vehicles beneath the crown of the tree, despite the pruning the tree still retains its natural shape

4.1 Northern Area Working Party on the 29th January 2007 supported confirmation of the Order.

5. RECOMMENDATION

5.1 It is recommended that the Order be confirmed without modification.

RICHARD SHORT
HEAD OF PLANNING SERVICES

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

1. TPO 568 (6 Elliott Close, Exeter), 2006.

EXETER CITY COUNCIL

PLANNING COMMITTEE

19th FEBRUARY 2007

**OBJECTIONS TO TREE PRESERVATION ORDER NO.563
(SAINSBURY'S SUPERSTORE, ALPHINGTON ROAD, EXETER), 2006.**

1. PURPOSE OF REPORT

- 1.1 The following report gives details of objections that have been received by the Council to Exeter City Council Tree Preservation Order No. 563 (Sainsbury's Superstore, Alphington Road, Exeter). The Committee is requested to determine whether to confirm, modify or refuse to confirm the Order. If an Order is confirmed (with or without modification) the protection that it provides becomes permanent but if it is not confirmed it ceases to have effect.

2. BACKGROUND

- 2.1 Tree Preservation Order No. 563 comprises of two groups, G1 & G2, and two woodlands W1 & W2, the Order protects the majority of trees growing within the site, including alongside Alphington Road, the internal access road and on the now disused railway embankment to the southeast.
- 2.2 The Order was signed on 5th September 2006 and remains in force for a period of 6 months. If the Order is confirmed the protection becomes permanent; if the Order is not confirmed it ceases to have effect.

3. POINTS RAISED BY THE OBJECTORS

- 3.1 One letter of objection has been received from a company of planning consultants representing the owner of the site.
- 5.1 The objection can be summarised as follows.
- The trees growing on the former railway embankment are self sown and are of poor to fair physiological condition.
 - The term woodland is misleading as the trees cover only a small area of land extending to approximately 0.5hectares.
 - The former railway embankment is dissected to the southwest by Church Road and the northeast by a blind-ended road.
 - An application has been submitted to construct the Grace Road Link, (policy T14 of The Exeter Local Plan First Review 1995-2011) and extend the existing car park resulting in the loss of trees from within area W1, G1, and G2.

- If the above planning application is granted Sainsbury's will provide replacement planting and introduce a comprehensive tree management scheme.

3.3 One letter of support has been received from a resident of Fairfax Gardens. The letter refers to the visual importance of trees growing within the former railway embankment.

4. OBSERVATIONS

- A Tree Preservation Order is used to protect both planted and naturally occurring trees. While individually the trees on the former railway embankment are of indifferent quality as a group they represent an important landscape feature, with wild life value.
- The term woodland is not defined in the Town and Country Planning Act, it is used to describe a large mixed group of trees, where counting or accurately plotting trees is not practical.
- Despite the former railway embankment being dissected to the southwest and northeast, it measures approximately 200m in length and as referred to above represents an important landscape feature within the area.
- The current planning application will be considered on its merits, the proposed loss of some trees from within area W1, G1, G2 suggests the protection of the remaining trees remains an important factor.
- The grant of any planning consent would normally include a planning condition requiring the replacement planting and subsequent management of trees.

4.1 Western Area Working Party on the 30th January 2007 supported confirmation of the Order.

5. RECOMMENDATION

5.1 It is recommended that the Order be confirmed without modification.

RICHARD SHORT
HEAD OF PLANNING SERVICES

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:

1. TPO 563 (Sainsbury's Superstore, Alphington Road, Exeter), 2006.

**EXETER CITY COUNCIL
PLANNING COMMITTEE
19 FEBRUARY 2007**

**PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND
WITHDRAWN APPLICATIONS**

1 PURPOSE OF REPORT

1.1 This report lists planning applications determined under delegated powers and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

1.2 The latter part of the application reference number indicates the following type of application:

- 01 Outline Planning Permission
- 02 Approval of Reserved Matters
- 03 Full Planning Permission
- 04 Works to Tree(s) with Preservation Order
- 05 Advertisement Consent
- 06 Works to Tree(s) in Conservation Area
- 07 Listed Building Consent
- 08 Circular 18/84
- 14 Demolition in Conservation Area
- 16 Exeter City Council Regulation 3
- 17 Lawfulness of Existing Use/Development
- 18 Certificate of Proposed Use/Development
- 21 Telecommunication Apparatus Determination
- 25 County Matter Application
- 26 Devon County Council Application
- 27 Modification and Discharge of Planning Obligation Regulations

1.3 The decision type uses the following codes

- DTD Declined To Determine
- NLU Was Not Lawful Use
- PAN Prior Approval Not Required
- PAR Prior Approval Required
- PER Permitted
- REF Refuse Planning Permission
- RNO Raise No Objection
- ROB Raise Objections
- SPL Split Decision
- WDN Withdrawn by Applicant
- WLU Was Lawful Use
- WTD Withdrawn - Appeal against non-determination

1.4 Members are requested to advise the Development Control Manager (Andy Robbins) or Head of Planning Services (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2. RECOMMENDATION

2.1 That this report be noted.

**RICHARD SHORT
HEAD OF PLANNING SERVICES**

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EXETER CITY COUNCIL

19/2/2007

PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN
APPLICATIONS

Between 4/1/2007 and 7/2/2007

WARD **Alphington**

Application No.	Working Party	Decision Date	Decision Type
06/2574/03	30/1/2007	30/1/2007	PER
Location	The Rectory Garden Site, Rectory Drive, Alphington, Exeter, EX2		
Description	Detached two storey dwelling, parking, access to highway and associated works		

Application No.	Working Party	Decision Date	Decision Type
06/2573/03	19/12/2006	30/1/2007	PER
Location	The Rectory Garden Site, Rectory Drive, Alphington, Exeter, EX2		
Description	Detached two storey dwelling, detached garage, parking, access to highway and associated works		

Application No.	Working Party	Decision Date	Decision Type
06/2556/04		24/1/2007	REF
Location	1-13 Rosemont Court, Church Road, Alphington, Exeter, EX2 8SY		
Description	The Felling of one tree		
	Tree Species Works		
	1 Scots Pine Fell		

Application No.	Working Party	Decision Date	Decision Type
06/2527/04		12/1/2007	PER
Location	K F Bartlett Ltd, Marsh Green Road West, Marsh Barton Trading Estate, Exeter, EX2		
Description	The pruning / felling of one tree		
	Tree No Species Works		

1 Plane Fell, or prune back to reasonable size

Application No.	Working Party	Decision Date	Decision Type
06/2526/03	19/12/2006	24/1/2007	REF
Location	76 Isca Road, Exeter, EX2 8BL		
Description	Redevelopment to provide detached dwelling, garage/store, access to highway and associated works		

Application No.	Working Party	Decision Date	Decision Type
06/2021/03		10/1/2007	REF
Location	21 Marsh Green Road East, Marsh Barton Trading Estate, Exeter, EX2 8NY		
Description	Change of use from car park to vehicle sales forecourt and provision of perimeter fence		

Application No.	Working Party	Decision Date	Decision Type
06/1935/03	21/11/2006	10/1/2007	PER
Location	Unit 7, Grace Road West, Marsh Barton Trading Estate, Exeter, EX2 8QA		
Description	Change of use from industrial (Class B2) to car sales forecourt		

Application No.	Working Party	Decision Date	Decision Type
06/1757/03	21/11/2006	26/1/2007	WDN
Location	44 Chudleigh Road, Exeter, EX2 8TU		
Description	Change of use from public house (Class A4) to 4 self contained flats, two storey rear extension, alterations and extensions to outbuilding to provide two storey building comprising 3 self contained flats, parking and associated works		

Application No.	Working Party	Decision Date	Decision Type
06/0891/03	6/6/2006	26/1/2007	PER
Location	Land adjacent to 42 Chamberlain Road, Exeter, EX2 8EW		
Description	Pair of semi-detached two storey dwellings, parking, vehicular and pedestrian access to highway and associated works		

WARD**Cowick**

Application No.	Working Party	Decision Date	Decision Type
06/2492/03		23/1/2007	PER
Location	5 Broadway, Exeter, EX2 9LT		
Description	Ground floor side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2490/03		31/1/2007	PER
Location	138 Cowick Lane, Exeter, EX2 9HE		
Description	Two storey side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2441/03		12/1/2007	REF
Location	14 Wiltshire Close, Exeter, EX4 1LU		
Description	Alterations to roof to include two dormer windows on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2438/03		30/1/2007	REF
Location	71 Cowick Hill, Exeter, EX2 9NQ		
Description	Provision of vehicle hardstanding, retaining wall and steps in front garden and access to highway		

Application No.	Working Party	Decision Date	Decision Type
06/2424/03		12/1/2007	REF
Location	Wayside, Dunsford Road, Exeter, EX4 1LG		
Description	Provision of hardstanding, double gates and access to highway		

Application No.	Working Party	Decision Date	Decision Type
06/2373/03		10/1/2007	PER
Location	41 Dunsford Road, Exeter, EX4 1LQ		
Description	Alterations and extension to garage to include pitched roof, glazed verandah and conservatory on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2205/03	19/12/2006	4/1/2007	REF
Location	Rosedale, 20 Savile Road, Exeter, EX4 1PR		
Description	Two storey extensions on north / west elevations, alterations to conservatory, ramp accesses on west / south elevations, altered accesses to highway and associated works.		

Application No.	Working Party	Decision Date	Decision Type
06/1895/03		12/1/2007	REF
Location	13 Buddle Lane, Exeter, EX4 1JU		
Description	Ground floor extension on north and east elevations		

WARD **Duryard**

Application No.	Working Party	Decision Date	Decision Type
07/0017/04		1/2/2007	PER
Location	101B Pennsylvania Road, Exeter, EX4 6DT		
Description	The pruning of two trees		
	Tree No Species Works		
	T4 & T5 Oak Crown lift to 7m		

Application No.	Working Party	Decision Date	Decision Type
06/2619/18		2/2/2007	WLU
Location	27 West Garth Road, Exeter, EX4 5AJ		
Description	Ground floor rear extension (Certificate of Lawfulness of Proposed Development)		

Application No.	Working Party	Decision Date	Decision Type
06/2487/03		22/1/2007	WDN
Location	Koduke, Taddyforde Court, Exeter, EX4 4AR		
Description	Alterations to roof to provide dormer window on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2473/03		19/1/2007	PER
Location	Kay Laboratories, North Park Road, Exeter, EX4		
Description	Ground floor extension (10 sq. m.) and installation of ground mounted air conditioning unit on north elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2350/03	18/12/2006	19/1/2007	PER
Location	University Of Exeter Sports Hall, Stocker Road, Exeter, EX4 4QN		
Description	Two outdoor tennis courts with floodlighting (AMENDMENT to Ref. No. 05/1533/03 granted 18 January 2006) (Retrospective)		

Application No.	Working Party	Decision Date	Decision Type
06/2277/03		15/1/2007	PER
Location	5 Hoopern Avenue, Exeter, EX4 6DN		
Description	Ground floor extension on west elevation with store beneath.		

Application No.	Working Party	Decision Date	Decision Type
	06/2192/05		29/1/2007
Location	University of Exeter, Streatham Campus, Exeter, EX4		
Description	Various directional and information signs		

Application No.	Working Party	Decision Date	Decision Type
06/1984/03	18/12/2006	5/2/2007	WDN
Location	Chiseldon House, Jefford House and Wadham House, Copplestone Drive, Exeter, EX4		
Description	Alterations to communal grounds to provide individual garden enclosures and boundary fences/walls (1.8m high)		

WARD **Exwick**

Application No.	Working Party	Decision Date	Decision Type
06/2668/03		7/2/2007	PER
Location	3 Lichfield Road, Exeter, EX4 2EU		
Description	Ground floor front extension		

Application No.	Working Party	Decision Date	Decision Type
06/2667/03		6/2/2007	PER
Location	48 Rowan Way, Exeter, EX4 2DT		
Description	Two storey side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2485/03		10/1/2007	REF
Location	2 Hylton Gardens, Exeter, EX4 2QE		
Description	Installation of chimney flue on north west elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2472/03	30/1/2007	7/2/2007	PER

Location The Coach House, Cleve Lane, Exeter, EX4 2AR
Description Change of use from office (Class B1) to 2 dwellings (Class C3), alterations to roof to include gable end extension and chimneys

Application No.	Working Party	Decision Date	Decision Type
06/2412/03		24/1/2007	REF

Location Barley Mow, 103 Buddle Lane, Exeter, EX4 1QT
Description Alterations to include raised patio, walls, aluminium screens, pole lighting and paving on rear of building

Application No.	Working Party	Decision Date	Decision Type
06/2407/03	19/12/2006	12/1/2007	PER

Location Land Adjacent to 12 Redhills, Exeter, EX4 1SQ
Description Detached two storey dwelling, parking, access to highway and associated works

Application No.	Working Party	Decision Date	Decision Type
06/2339/03		5/1/2007	REF

Location Weircliffe House, St. Andrews Road, Exeter, EX4 2AF
Description Attached garage on north elevation and access to highway

WARD Heavitree

Application No.	Working Party	Decision Date	Decision Type
06/2646/03		6/2/2007	REF

Location 1 Bonnington Grove, Exeter, EX1 2QY
Description Two storey side and ground floor rear extension

Application No.	Working Party	Decision Date	Decision Type
06/2263/03		23/1/2007	REF

Location Constable Court, Fore Street, Heavitree, Exeter, EX1 2QJ
Description Alterations to widen access to highway on front boundary

WARD Mincinglake

Application No.	Working Party	Decision Date	Decision Type
06/2442/18		24/1/2007	WLU

Location 14 Cottey Crescent, Exeter, EX4 9DT
Description Alterations to roof to provide dormer window on rear elevation (Certificate of Lawfulness of Proposed Development)

Application No.	Working Party	Decision Date	Decision Type
06/2302/03	18/12/2006	15/1/2007	REF

Location 33 Summer Lane, Exeter, EX4 8BZ
Description Detached dwelling and double garage in rear garden, altered access to highway and associated works

Application No.	Working Party	Decision Date	Decision Type
06/2237/03		12/1/2007	PER

Location 18 Avalon Close, Exeter, EX4 9EF
Description Front porch (RETENTION)

Application No.	Working Party	Decision Date	Decision Type
06/2207/03	18/12/2006	10/1/2007	PER

Location 68 Merlin Crescent, Exeter, EX4 9AG
Description Two storey side and ground floor rear extension

WARD Newtown

Application No.	Working Party	Decision Date	Decision Type
06/2680/06		26/1/2007	PER
Location	142 Heavitree Road, Exeter, EX1 2NA		
Description	The pruning of four trees		
	Tree No. Species Works		
	T1 Douglas Fir Remove lower fork		
	T2 Prunus Crown lift		

Application No.	Working Party	Decision Date	Decision Type
06/2456/03		22/1/2007	PER
Location	Conway Court, Spicer Road, Exeter, EX1 1TA		
Description	Installation of replacement windows on all elevations		

Application No.	Working Party	Decision Date	Decision Type
06/2447/03	31/1/2007	5/2/2007	PER
Location	Fountain House, Western Way, Exeter, EX1 2DE		
Description	Change of use from business (Class B1) to 9 self-contained flats (Class C3) on first and second floor levels		

Application No.	Working Party	Decision Date	Decision Type
06/2347/17		1/2/2007	WLU
Location	81 & 82 Polsloe Road, Exeter, EX1 2NF		
Description	Alterations to form three additional self-contained flats, over and above the eight flats approved under 00/0182/0 (granted 9th May 2000) (Certificate of Lawfulness of Existing Use or Development)		

Application No.	Working Party	Decision Date	Decision Type
06/2193/05		5/2/2007	PER
Location	University Of Exeter, St Luke's Campus, Heavitree Road, Exeter, EX1 2LU		
Description	Various directional and information signs		

WARD **Pennsylvania**

Application No.	Working Party	Decision Date	Decision Type
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06/2629/04 26/1/2007 PER
Location Hilltop, Pennsylvania Road, Exeter, EX4 5BN
Description The felling of two trees

Tree No Species Works
T3 Sweet Chestnut Fell
T5 Douglas Fir Fell

Application No.	Working Party	Decision Date	Decision Type
06/2431/03		24/1/2007	PER
Location	61 Stoke Valley Road, Exeter, EX4 5EY		
Description	Ground floor rear extension		

Application No.	Working Party	Decision Date	Decision Type
06/2408/03		30/1/2007	REF
Location	10 Newfoundland Close, Exeter, EX4 5HA		
Description	Two storey side extension		

WARD Pinhoe

Application No.	Working Party	Decision Date	Decision Type
06/2602/04		24/1/2007	PER
Location	85 Langaton Lane, Exeter, EX1 3SL		
Description	The felling of 1 tree		

Tree No Species Works
T1 Oak Fell

Application No.	Working Party	Decision Date	Decision Type
06/2582/18		26/1/2007	WLU
Location	19 Orchard Close, Exeter, EX1 3SN		
Description	Ground floor extension and conservatory on rear elevation (Certificate of Lawfulness of Proposed Development)		

Application No.	Working Party	Decision Date	Decision Type
06/2486/03		23/1/2007	PER
Location	8 Warwick Way, Exeter, EX4 8EP		
Description	Ground floor rear extension		

Application No.	Working Party	Decision Date	Decision Type
06/2471/03		19/1/2007	PER
Location	43 Warwick Way, Exeter, EX4 8ER		
Description	Two storey side/rear extension		

Application No.	Working Party	Decision Date	Decision Type
06/2429/03		19/1/2007	REF
Location	12 Fox Road, Exeter, EX4 8ND		
Description	Two storey side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2304/02	29/1/2007	30/1/2007	PER
Location	Land at 1 Broadparks Close, Exeter, EX4 9HA		
Description	Detached dwelling, parking and associated works (approval sought of reserved matters on Ref. No. 06/0917/01 granted 30 June 2006) for siting, design, landscaping and external appearance		

WARD **Polsloe**

Application No.	Working Party	Decision Date	Decision Type
06/2688/26	31/1/2007	31/1/2007	RNO
Location	Ladysmith First School, Ladysmith Road, Exeter, EX1 2PS		

Description Extension to childrens' centre

Application No.	Working Party	Decision Date	Decision Type
06/2647/03		5/2/2007	PER
Location	144 Monks Road, Exeter, EX4 7BQ		
Description	Two storey side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2633/03		6/2/2007	PER
Location	69 Mount Pleasant Road, Exeter, EX4 7AH		
Description	Extension on north elevation of garage		

Application No.	Working Party	Decision Date	Decision Type
06/2627/03	31/1/2007	5/2/2007	PER
Location	18 East Avenue, Exeter, EX1 2DY		
Description	Two storey extension on side elevation and parking		

Application No.	Working Party	Decision Date	Decision Type
06/2583/03		30/1/2007	PER
Location	9 Greyfriars Road, Exeter, EX4 7BS		
Description	Conservatory on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2531/03		6/2/2007	PER
Location	39A Polsloe Road, Exeter, EX1 2DN		
Description	Ground floor side/rear extension		

Application No.	Working Party	Decision Date	Decision Type
06/2525/03		29/1/2007	REF
Location	15 Third Avenue, Exeter, EX1 2PJ		
Description	Alterations and extension to roof to include dormer window on side elevation		

WARD **St Davids**

Application No.	Working Party	Decision Date	Decision Type
06/2572/03	29/1/2007	30/1/2007	PER
Location	9 Dinham Road, Exeter, EX4 4EE		
Description	Change of use from dwelling (Class C3) to two self-contained flats		

Application No.	Working Party	Decision Date	Decision Type
06/2534/03		29/1/2007	PER
Location	Greystones, Exeter College, Hele Road, Exeter, EX4 4JS		
Description	Alterations to roof, doors and windows (RETENTION)		

Application No.	Working Party	Decision Date	Decision Type
06/2450/03	29/1/2007	2/2/2007	REF
Location	21 Northernhay Street, Exeter, EX4 3ER		
Description	Change of use from offices (Class B1) to eight self contained flats (Class C3), alterations to provide louvres on south east elevation and additional windows on north east elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2425/03	19/12/2006	22/1/2007	REF
Location	28 South Street, Exeter, EX1 1EB		
Description	Partial change of use from restaurant (Class A3) to include hot food takeaway (Class A5) on ground floor		

Application No.	Working Party	Decision Date	Decision Type
06/2387/07	30/1/2007	6/2/2007	PER
Location	4 Southernhay West, Exeter, EX1 1JG		
Description	External alteration to provide lettering sign on front elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2370/05		1/2/2007	PER
Location	Spacex Gallery, 45 Preston Street, Exeter, EX1 1DF		
Description	Non-illuminated double sided projecting sign on front elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2357/07	18/12/2006	15/1/2007	WDN
Location	5-12 Mount Dinham, Exeter, EX4 4EB		
Description	External alterations to replace and repair rainwater goods		

Application No.	Working Party	Decision Date	Decision Type
06/2300/07	19/12/2006	12/1/2007	REF
Location	Abbey National Plc, 53-54 High Street, Exeter, EX4 3HE		
Description	External and internal alterations to include installation of automated teller machine (ATM) on front elevation, additional side entrance and partition walls		

Application No.	Working Party	Decision Date	Decision Type
06/2072/05		7/2/2007	PER
Location	232 High Street, Exeter, EX4 3NE		
Description	Internally illuminated fascia sign on front elevation		

WARD**St James**

Application No.	Working Party	Decision Date	Decision Type
06/2449/03	18/12/2006	23/1/2007	PER
Location	Flat 3, 7 Longbrook Terrace, Exeter, EX4 4EU		
Description	Alterations to roof to install roof light on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2367/03		9/1/2007	PER
Location	46 Velwell Road, Exeter, EX4 4LD		
Description	Ground floor extension and conservatory on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2261/03		12/1/2007	PER
Location	Thornlea, New North Road, Exeter, EX4 4LA		
Description	Ventilation dormer on south roof elevation		

Application No.	Working Party	Decision Date	Decision Type
06/1626/14	29/1/2007	6/2/2007	PER
Location	Two Hoots, Hoopern Lane, Exeter, EX4 4PP		
Description	Demolition of building		

WARD**St Leonards**

Application No.	Working Party	Decision Date	Decision Type
06/2555/03	30/1/2007	30/1/2007	REF

Location 5 St. Leonards Road, Exeter, EX2 4LA
Description Conservatory on rear elevation

Application No.	Working Party	Decision Date	Decision Type
06/2554/07	30/1/2007	30/1/2007	REF
Location	5 St. Leonards Road, Exeter, EX2 4LA		
Description	Internal and external alterations to provide conservatory		

Application No.	Working Party	Decision Date	Decision Type
06/2416/03		12/1/2007	REF
Location	12 Lansdowne Terrace, Exeter, EX2 4JJ		
Description	Provision of railings (0.8 m high) on north boundary wall		

Application No.	Working Party	Decision Date	Decision Type
06/2411/03		5/2/2007	PER
Location	8 Victoria Park Road, Exeter, EX2 4NT		
Description	Ground floor extension and conservatory on rear elevation		

WARD St Loyes

Application No.	Working Party	Decision Date	Decision Type
06/2634/03		30/1/2007	PER
Location	3 Coronet Close, Exeter, EX2 7QS		
Description	Conservatory on rear elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2618/04		24/1/2007	PER
Location	West Grange, Clyst Heath, Exeter, EX2		
Description	The felling of two trees		
	Tree No Species Works		
	T1 Larch Deadwood		

T2 Scots Pine Fell

Application No.	Working Party	Decision Date	Decision Type
06/2576/04		24/1/2007	PER
Location	Land at Digby Drive, Exeter		
Description	The felling of thirteen trees		
	Tree No Species Works		
	1-13 Larch Fell		

Application No.	Working Party	Decision Date	Decision Type
06/2575/04		24/1/2007	PER
Location	Land at Digby Drive, Exeter		
Description	The felling of two trees		
	Tree No Species Works		
	T9 Birch Fell		
	T10 Birch Fell		

Application No.	Working Party	Decision Date	Decision Type
06/2414/03		30/1/2007	PER
Location	5 Garden Close, Exeter, EX2 5PA		
Description	Two storey and ground floor side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2321/03		15/1/2007	WDN
Location	61 Lewis Crescent, Exeter, EX2 7TD		
Description	Conservatory on rear elevation		

WARD **St Thomas**

Application No.	Working Party	Decision Date	Decision Type
06/2704/06		1/2/2007	PER
Location	84 Queens Road, Exeter, EX2 9EW		

Description The pruning of one tree and the felling of two trees
Tree Species Works
T1 Conifer Fell
T2 Copper Beech Fell or pollard

Application No.	Working Party	Decision Date	Decision Type
06/2581/03		31/1/2007	PER
Location	35 Cowick Road, Exeter, EX2 9BE		
Description	Ground floor rear extension		

Application No.	Working Party	Decision Date	Decision Type
06/2453/03	19/12/2006	10/1/2007	PER
Location	St. Thomas Church, Cowick Street, Exeter, EX4		
Description	Entrance gates to car park on south east boundary		

Application No.	Working Party	Decision Date	Decision Type
06/2410/03		12/1/2007	PER
Location	11 Princes Square, Exeter, EX2 9AN		
Description	Two storey side extension		

Application No.	Working Party	Decision Date	Decision Type
06/2368/05		2/2/2007	PER
Location	Lloyds Bank Plc, 13 St. Thomas Centre, Exeter, EX4 1DF		
Description	Internally illuminated fascia sign and projecting signs		

WARD Topsham

Application No.	Working Party	Decision Date	Decision Type
06/2681/04		26/1/2007	PER
Location	Garden Reach, Retreat Drive, Topsham, Exeter, EX3 0LS		
Description	The pruning of one tree		
	Tree No. Species Works		
	1 Willow Remove one large branch		

Application No.	Working Party	Decision Date	Decision Type
06/2624/06		22/1/2007	PER
Location	36 Strand Court, Topsham, Exeter, EX3 0AZ		
Description	The pruning of one tree		
	Tree No Species Work		
	1 Sorbus Reduce by 25%		

Application No.	Working Party	Decision Date	Decision Type
06/2579/18		26/1/2007	WLU
Location	21 Gordon Road, Topsham, Exeter, EX3 0LJ		
Description	Detached shed in rear garden (Certificate of Lawfulness of Proposed Development)		

Application No.	Working Party	Decision Date	Decision Type
06/2569/03		29/1/2007	PER
Location	Bricknells Cottage, Old Rydon Lane, Exeter, EX2 7JW		
Description	Two storey extension on north west elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2553/03	31/1/2007	31/1/2007	PER
Location	12 Rydon Lane, Exeter, EX2 7AW		
Description	Two storey extension on south west elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2454/03	31/1/2007	5/2/2007	REF
Location	Flat 2, Collingwood House, Monmouth Hill, Topsham, Exeter, EX3 0JQ		
Description	Installation of replacement windows on front and rear elevations		

Application No.	Working Party	Decision Date	Decision Type
06/2440/07	31/1/2007	7/2/2007	PER
Location	9 Follett Road, Topsham, Exeter, EX3 0JP		
Description	External alterations to provide rear extension, demolition of shed, internal alterations to walls, doors and floor		

Application No.	Working Party	Decision Date	Decision Type
06/2439/03		30/1/2007	PER
Location	8 Rivers Walk, Newport Park, Exeter, EX2 7EP		
Description	Provision of access ramp on south and west elevations, raised decking and scooter store in rear garden		

Application No.	Working Party	Decision Date	Decision Type
06/2423/07	20/12/2006	26/1/2007	PER
Location	42 The Strand, Topsham, Exeter, EX3 0AY		
Description	External alterations to include ground floor rear extension, rooflight, alterations to garage to provide additional living accommodation and internal alterations to walls		

Application No.	Working Party	Decision Date	Decision Type
06/2422/03	20/12/2006	22/1/2007	PER
Location	42 The Strand, Topsham, Exeter, EX3 0AY		
Description	Ground floor rear extension and alterations to garage to provide additional living accommodation		

Application No.	Working Party	Decision Date	Decision Type
06/2384/03		26/1/2007	PER
Location	2 Halyards, Topsham, Exeter, EX3 0JT		
Description	First floor rear extension on balcony		

Application No.	Working Party	Decision Date	Decision Type
06/2364/07	20/12/2006	18/1/2007	PER
Location	29 Monmouth Street, Topsham, Exeter, EX3 0AJ		
Description	External alterations to provide ground floor rear extension and internal alterations to walls		

Application No.	Working Party	Decision Date	Decision Type
06/2363/03	20/12/2006	19/1/2007	PER
Location	29 Monmouth Street, Topsham, Exeter, EX3 0AJ		
Description	Ground floor rear extension		

WARD Whipton Barton

Application No.	Working Party	Decision Date	Decision Type
06/2528/05		24/1/2007	PER
Location	Unit 2, Emperor Way, Exeter Business Park, Exeter, EX1		
Description	Internally illuminated fascia sign on south elevation and non illuminated individual letters sign and vinyl window sign on west elevation		

Application No.	Working Party	Decision Date	Decision Type
06/2484/03		22/1/2007	PER
Location	47 Ringswell Avenue, Exeter, EX1 3EF		
Description	First floor extensions on north and south elevations		

Application No.	Working Party	Decision Date	Decision Type
06/2014/18		16/1/2007	WLU
Location	7 Brook Close, Exeter, EX1 3JL		
Description	Ground floor rear extension (Certificate of Lawfulness of Proposed Development)		

Total no of delegated decisions made: 103

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter. Telephone 01392 265223.

EXETER CITY COUNCIL

PLANNING COMMITTEE

19 FEBRUARY 2007

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

1.1 To update members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 20 DECEMBER 2006 AND 1 FEBRUARY 2007

Cases opened: 1

Cases closed: 0

Outstanding number of cases: 165

2.1 Due to a staff vacancy there has been a delay in formally registering complaints received and closed. The vacancy has now been filled.

3.0 NOTICES ISSUED

3.2 None

4.0 NOTICES COMPLIED WITH

4.1 None

5.0 CURRENT APPEALS

5.1 ENF/06/042 – 1 Wentworth Gardens – Enforcement Notice issued on 12 December 2006 for the erection of a conservatory on the rear elevation. The Notice takes effect on 26 January 2007 and gives 4 months for compliance. The applicant has submitted an appeal against the Council's decision on 8 November 2006 to refuse to grant a certificate of lawful development for the conservatory on the rear elevation and this is being dealt with by Public Inquiry. The Public Inquiry will be held on 3 July 2007. An Enforcement Notice appeal has also been submitted against the Enforcement Notice.

6.0 ENFORCEMENT APPEAL DECISIONS

6.1 None received.

7.0 RECOMMENDATION

7.1 That this report be noted

RICHARD SHORT
HEAD OF PLANNING SERVICES

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

None.

EXETER CITY COUNCIL

PLANNING COMMITTEE

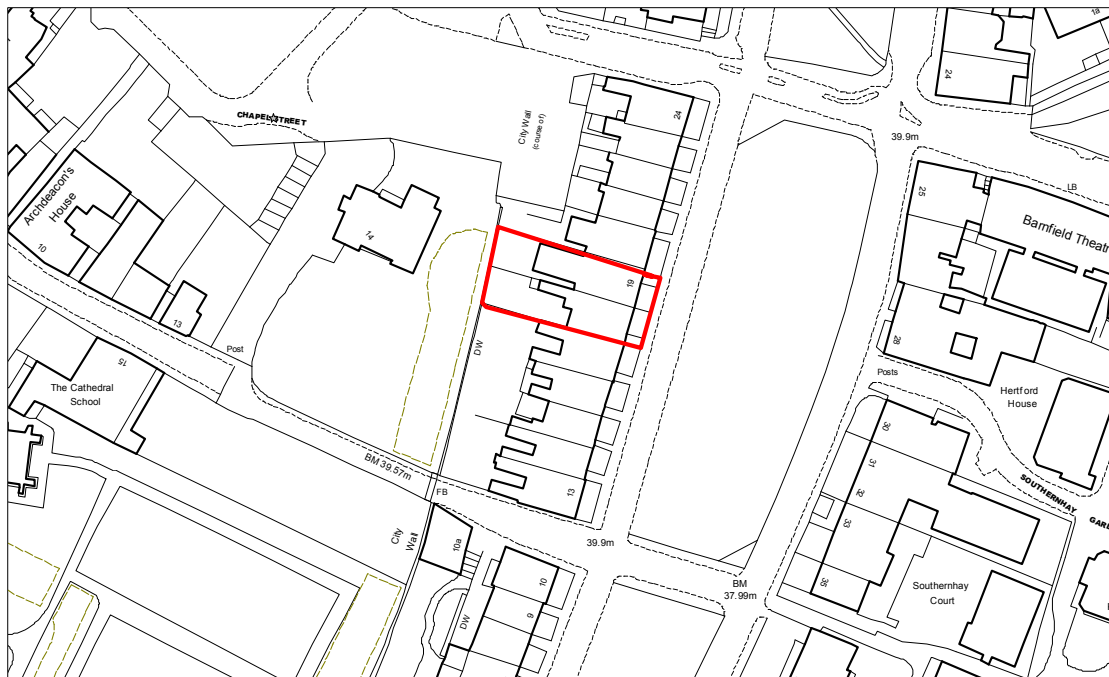
19th February 2007

APPEALS

DECISIONS RECEIVED

SUMMARY: 10 appeal decisions have been received since the last report;
7 were dismissed and 3 allowed subject to conditions.

Location: 18/19 Southernhay West, Exeter EX1 1PJ



Scale 1:1250

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Reference Nos: 06/0054/07 (Appeal A)
06/0053/03 (Appeal B)

Proposals: Appeal A: Demolition of garden walls and formation of car and cycle park.

Appeal B: Alterations to include removal of garden walls to form car and cycle park.

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: APPEALS DISMISSED

Grounds:

The main issues were considered to be the effect of the proposal on

- a) the special architectural and historic interest of the Grade II* listed buildings, Exeter city wall and the Southernhay and The Friars Conservation Area, and
- b) highway safety.

Special architectural and historic interest

The Inspector did not consider that the garden walls, which are in poor condition to be of such intrinsic importance in themselves that demolition should not be considered. However, he recognised that they defined the important plots. He also considered that gardens provided a far better setting for the listed building and city wall than does the existing car parking to the rear of the other listed buildings in the terrace. He considered that the loss of definition of plots and the substantial change, in particular the large area of hard standing and parked cars, would cause harm to the special architectural and historic interest and setting of the listed buildings, city walls and conservation area.

Although the Council had granted planning permission and listed building consent for a similar proposal in 1999, these had not commenced and were therefore time expired. The Inspector considered that the current proposal would be another utilitarian addition at the rear of the listed buildings and would not in any way mitigate the harm of the proposed parking and loss of plot definition. The small amount of landscaping adjacent to the city wall would still not be sufficient to overcome the harm.

The Inspector also considered that the extent of excavation necessary to accommodate the car park would be likely to have an impact on the stability of the city wall.

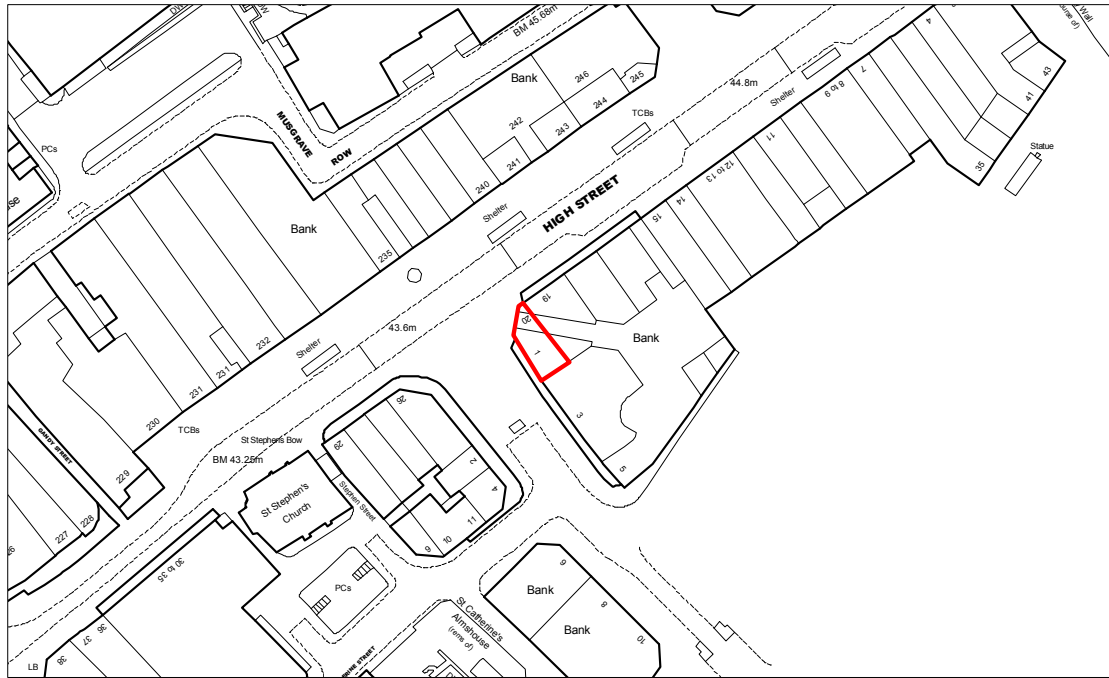
Highway safety

The Inspector noted that the access that would serve the appeal site is through a hole formed in the tall garden wall directly adjacent to the pavement. The opening onto the road to the side of the site is relatively narrow. Cars which exit have almost no visibility of pedestrians using the footpath or vice versa, before the pedestrian is in front of the entrance itself, and very limited visibility of the rest of the width of the road. He agreed with the highway authority that this was a dangerous arrangement. He concluded that the harm to highway safety in permitting any further use would be significant and unacceptable.

The Secretary of State agreed with the Inspector's recommendation and refused to grant planning permission and listed building consent.

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Location: Vodafone, 17-19 High Street, Exeter EX4 3LH



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Reference No: 06/1329/05

Proposal: Internally illuminated fascia signs and projecting signs.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: APPEAL DISMISSED

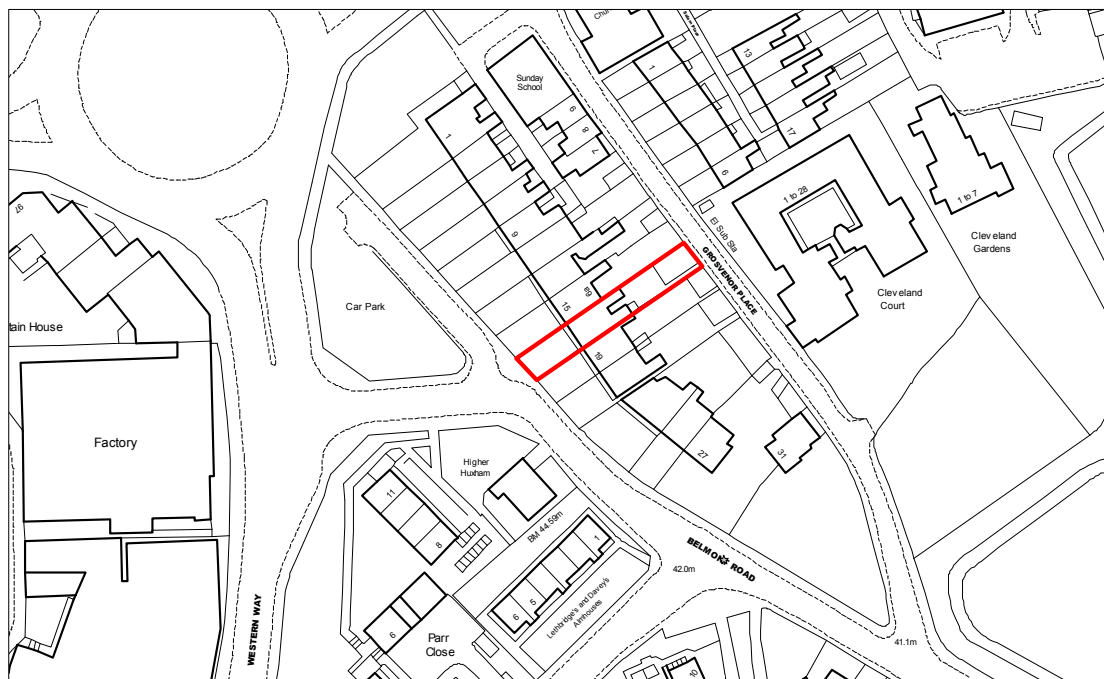
Grounds:

The Inspector thought the appeal signs, which were being displayed at the time of his inspection, related poorly to the host building which occupied a prominent corner position. He considered the signs to be *“unequivocally 21st century in materials and design, particularly the “peel back” feature which I consider overtly modern and out of place on this building”*. He thought the signs’ red background accentuated their intrusiveness and incongruity, in contrast to the subdued signage of adjacent High Street properties. He considered that the 3 projecting signs when seen in conjunction with the fascia signs, overburdened the shop front elevations.

The Inspector noted that the host building made a valuable contribution to the streetscape which the appeal signs failed to respect. He considered that the *“strident modern signs fail to assimilate comfortably onto the facades of this elegant 1950’s building with its stone dressings at ground floor level, to the detriment of the host premises and the townscape as a whole”*. He agreed with the Council that the signs failed to preserve or enhance the character or appearance of the Conservation Area.

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Location: 17 Belmont Road, Exeter EX1 2HF



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Reference No: 06/0462/03

Proposal: Change of use to a house in multiple occupation for 10 people.

Application Decision: Officer Recommendation: Approval
Committee Decision: Refusal

Type of Appeal: Written Representations

Appeal Decision: APPEAL ALLOWED WITH CONDITIONS

Grounds:

The Inspector noted that the appeal building previously provided accommodation for about 10 people. On this basis he agreed with the view expressed by the Inspector in relation to a recent appeal that the proposed change of use would not amount to any significant intensification of use. He also noted that no alterations to the building either internally or externally were proposed. He therefore concluded that the proposed change of use would preserve the special interest of the Grade II listed appeal building and the character of the Belmont Conservation Area.

As no significant intensification of use would occur, the Inspector did not consider the proposed development would harm the amenities of neighbouring occupiers. He thought any excessive noise and disturbance would be subject to control by other authorities. As residents of houses in multiple occupation were generally less wealthy in his experience, he considered car ownership was likely to be low. He also considered that to restrict development on the basis of a lack of parking provision either on or off the site would run

counter to the thrust of government policy which seeks to encourage sustainable transport choices and reduce reliance on the private car in accessible locations such as this.

The appeal was allowed subject to conditions requiring the provision of bin storage and car parking facilities before the use commences, in accordance with details to be approved by the local planning authority.

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Location: The Old Rectory, 15 Park Lane, Pinhoe, Exeter EX4 9HL



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Reference No: 06/0129/03

Proposal: Erection of a four-bedroom, two-storey house.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: APPEAL DISMISSED

Grounds:

The main issues were considered to be the impact on the character and appearance of the area, the effect on the living conditions of neighbouring dwellings including the host dwelling, and the effect on the appearance and life expectancy of two London Plane trees.

The impact on the character and appearance of the area

The Inspector considered that the appearance of the driveway proposed to serve the new house, which would run parallel with Vicarage Lane and only be separated by a narrow line of vegetation, would be unsatisfactory and would emphasise the backland nature of the development. The development would also leave the host building and the proposed house set tightly up to the boundaries, creating a cramped appearance. The proposal would therefore conflict with Development Plan policies.

The effect on the living conditions of neighbouring dwellings

The Inspector did not consider the proposed development would give rise to a significant degree of overlooking for occupiers of Rectory Gardens or the host property. However, he considered the new driveway would cause harm to the amenities of occupiers of the host building. He also thought that there would be a loss of privacy and outlook for the occupants of Coppins, a bungalow on the opposite side of The Poplars. He concluded the proposal would therefore conflict with ELP Policy DG4.

The effect on the appearance and life expectancy of trees

The Inspector regarded the proximity of the proposed house to the canopy of one of the two protected trees at the site as a cause for concern. He thought the 2m separation distance was too small and was likely to lead to pressure from future occupiers to prune or remove the tree. He concluded that the proposed layout would not be compatible with the long-term protection and retention of the protected tree.

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Location: 18 Broadparks Avenue, Pinhoe, Exeter EX4 9ET



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Reference No: **06/0546/03**

Proposal: Two storey extension on north elevation.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: **APPEAL ALLOWED WITH CONDITIONS**

Grounds:

The main issues were considered to be the visual impact of the extension and the effect of increased overlooking on the amenities of neighbours.

The Inspector considered that as there was a wider space between the adjoining bungalow to the north and the appeal property than was normal in the area and, bearing in mind the difference in ground levels, the visual relationship between the properties would be satisfactory if the extension was erected. He did not consider the extension would be unduly large or dominant in relation to the existing house. He accepted that the half-dormer windows would introduce an uncharacteristic feature to the dwelling but did not consider this would be unacceptable. He did not consider that any loss of privacy in the gardens of the adjoining properties would be so unreasonable as to warrant withholding planning permission.

The appeal was allowed subject to conditions requiring the commencement of the development within three years and the submission of samples of materials.

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Location: 33 Broadfields Road, Exeter EX2 5RF



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Reference No: 06/0542/03

Proposal: Two storey side extension.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: APPEAL DISMISSED

Grounds:

The main issue was considered to be the effect of the proposed extension on the character and appearance of the surrounding area.

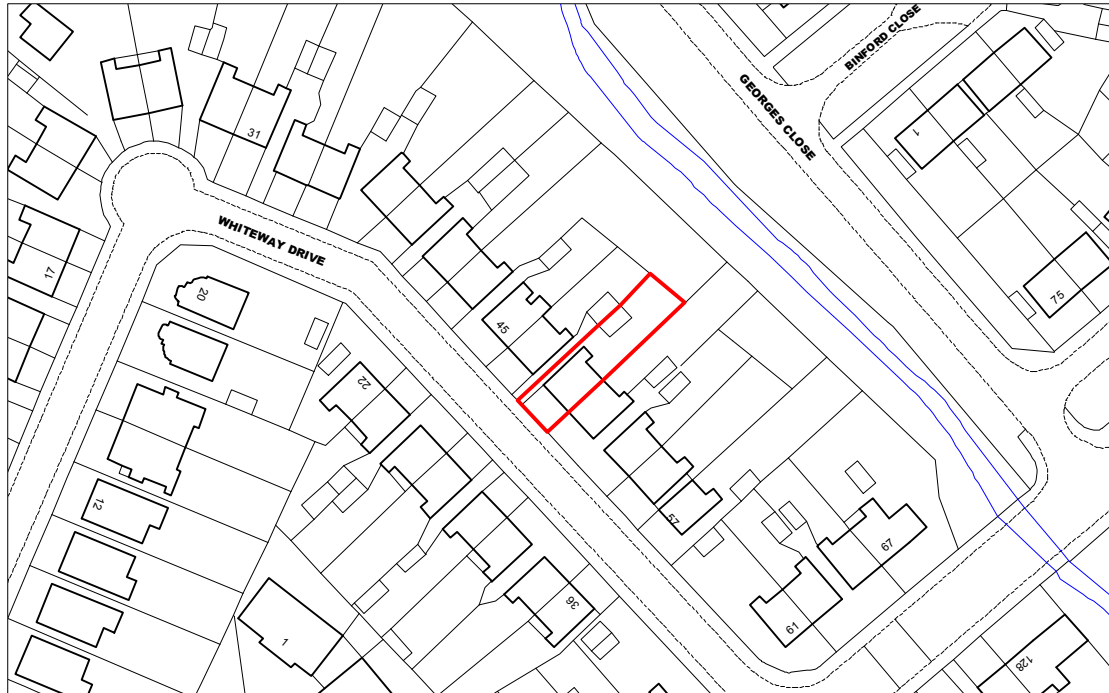
The Inspector considered that the two-storey extension with its matching materials, stepped back upper façade and lowered roof ridge, would result in a well articulated form much in accord with the Council's design guidelines. However, by abutting the line of the boundary the extension would fail to leave the one metre gap required by the guidelines. This would leave no significant gap between the proposed extension and that of the neighbouring house, effectively resulting in the two pairs of semi-detached houses linking to form a short terrace. The proposal would upset the rhythm

of development and would not relate well to the surrounding townscape. The Inspector concluded that the proposed development would harm the character and appearance of the area and conflict with development plan policies.

The Inspector also agreed with the Council that allowing the appeal would make it more difficult to resist further planning applications where the accumulative effect of extensions bridging the gaps between individual houses on the estate would exacerbate the harm described above.

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Location: 49 Whiteway Drive, Exeter EX1 3AL



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Reference No: 06/0697/03

Proposal: Loft conversion with alterations to roof to include dormer windows on rear and side elevation.

Application Decision: Delegated Refusal

Type of Appeal: Written Representations

Appeal Decision: APPEAL ALLOWED WITH CONDITIONS

Grounds:

The main issue was considered to be the effect of the roof alterations on the character and appearance of the property and its surroundings.

The Inspector accepted that extending the ridge of the existing hipped roof would significantly alter the balance and appearance of the hipped outline, a feature of these houses that was repeated along the street. However, he noted that the roof over the other half of the building had already been altered by the addition of dormers extending the ridge line in a similar manner to the proposals. The Inspector considered the proposed side dormer would return a balance to the appearance of the roof of the semi-detached pair of houses. He did not consider it would be prominent.

The Inspector considered the rear dormer would be a subordinate design feature and that there would be satisfactory integration with the design of the roof and the house as a whole. Sited at the rear of the house, views of the changes would be limited to neighbouring rear gardens where the rear dormer would help to balance the appearance of the similar dormer on the other half of the semi-detached pair.

The Inspector concluded that the proposed development would not harm the character and appearance of the building or be out of place within the street. He allowed the appeal subject to conditions relating to commencement within 3 years and the approval of materials.

Location: 131 Topsham Road, Exeter EX2 4RE



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Reference Nos: **06/0615/07 (Appeal A)**
 06/0407/03 (Appeal B)

Proposals: Appeal A: Demolitions of outbuildings and garage walls; alteration to banking and turning area to accommodate new dwelling

Appeal B: Construction of detached house and garage; revised parking and turning areas.

Application Decisions: Delegated Refusal

Type of Appeals: Written Representations

Appeal Decisions: **APPEALS DISMISSED**

Grounds:

The appeal property is a Grade II listed building. The Inspector agreed with the Council that the new dwelling would be seen as unduly constrained within the site and uncomfortable in relation to its neighbours in respect of its mass, proportions and detailed design. He considered that the driveway/parking space in front of the garage to No. 133 would be of limited width and that its use could present some difficulties in practice, as well as requiring vehicular movement close to habitable room windows of the new dwelling. He thought these access/parking/manoeuvring arrangements would add to the appearance of a cramped development.

The Inspector also agreed that the loss of the existing planting at the site and the limited opportunity for any effective new planting to soften the visual effect of the redevelopment would be harmful to the street scene and the setting of the listed building. He also considered the loss of the existing outbuilding and walled yard, which contribute to the interest and setting of the main building, would be regrettable.

The Inspector concluded that the adverse impact of the proposals on the character, setting and special interest of the listed building and on the street scene would not be acceptable and would conflict with development plan policies.

APPEALS LODGED

Application	Proposal	Start date	Received date
06/1714/03 82 Barley Farm Road, Exeter, EX4 1NW	Attached two-storey dwelling, parking and associated works.	15/12/06	18/12/06
06/1575/03 2 Fairfield Road, Exeter, EX2 8UE	Attached three-storey dwelling, two garages at lower ground level, altered access to highway and associated works.	18/12/06	22/12/06
06/1688 River Court, Pines Hill, Exeter, EX2 5JL	Two storey extension on south-east elevation (363 sq.m.) and additional parking area.	2/01/07	3/01/07
06/1500/03 1 The Wicket, Lords Way, Exeter, EX2 5UG	Two storey side extension.	10/01/07	11/01/07

06/0887/03 23 Clyst Heath, Exeter, EX2 7TA	First floor side extension on south elevation.	11/01/07	12/01/07
06/1751/03 Rear of 37-39 Southbrook Road, Exeter, EX2 6JA	Pair of semi-detached dwellings, parking, access to highway and associated works.	11/01/07	12/01/07
06/0993/03 Land adj. 2 Blackthorn Crescent, Exeter, EX1 3HG	Detached dwelling and associated works.	15/01/07	16/01/07
06/1091/03 17 Horseguards, Exeter, EX4 4UU	Alterations to garage to provide additional accommodation.	18/01/07	22/01/07
06/1917/01 21 Venny Bridge, Exeter, EX4 8JX	Pair of semi-detached dwellings (appearance and landscaping reserved for future consideration).	19/01/07	22/01/07
06/1883/03 Exeter Academy, 64 Sylvan Road, Exeter. EX4 6HA	Change of use from educational (Class D1) to eight self contained flats, two storey extension and alterations to include additional windows, detached two storey building with dormer windows on front and rear elevation in south garden area to provide two self contained flats, parking, access to highway and associated works	23/01/07	24/01/07
06/0899/01 Land adj. Beech Cottage, Old Rydon Close, Exeter. EX2 7JR	Residential development to provide 30 dwellings, pedestrian and vehicular access to highway (siting, design, landscaping and external appearance reserved for future consideration).	25/01/07	26/01/07
06/2339/03 Weircliffe House, St Andrews Road, Exwick, Exeter EX4 2AF	Attached garage on north elevation and access to highway.	24/01/07	25/01/07

**RICHARD SHORT
HEAD OF PLANNING SERVICES
ECONOMY AND DEVELOPMENT DIRECTORATE**

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:-

Letters, application files and appeal documents referred to in report.

Available for inspection from:-

Planning Services, Civic Centre, Paris Street, Exeter (01392) 265223

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